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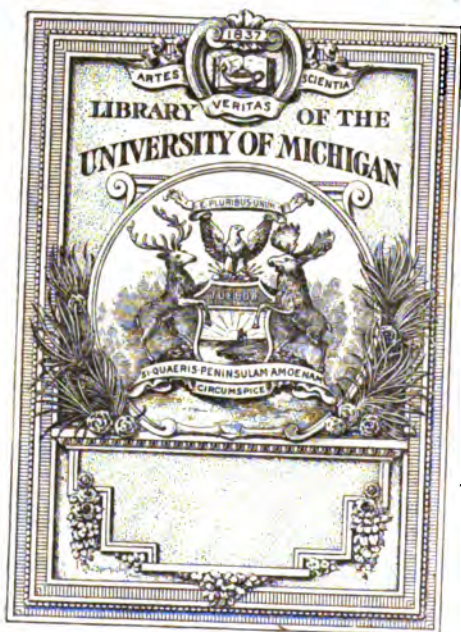
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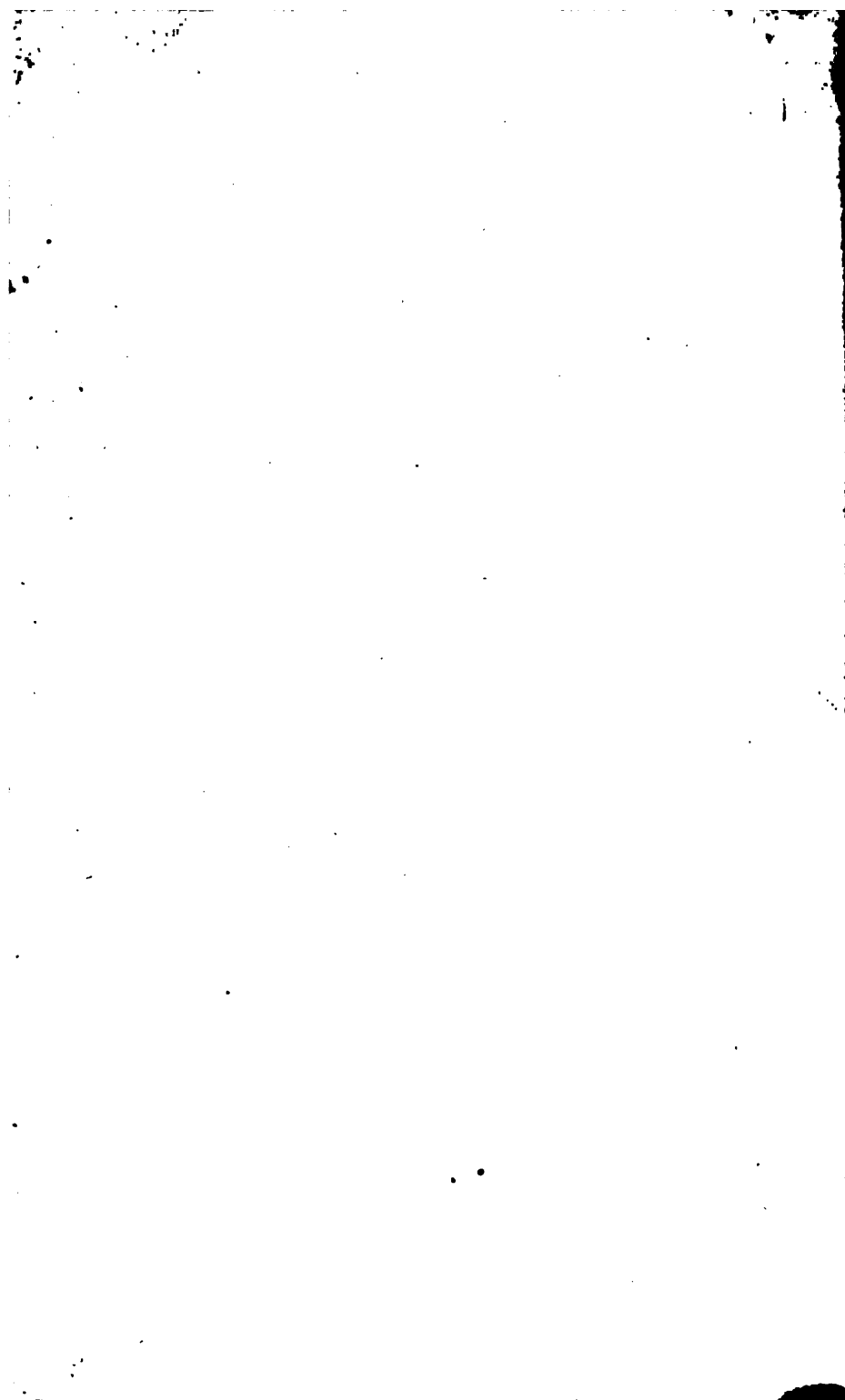


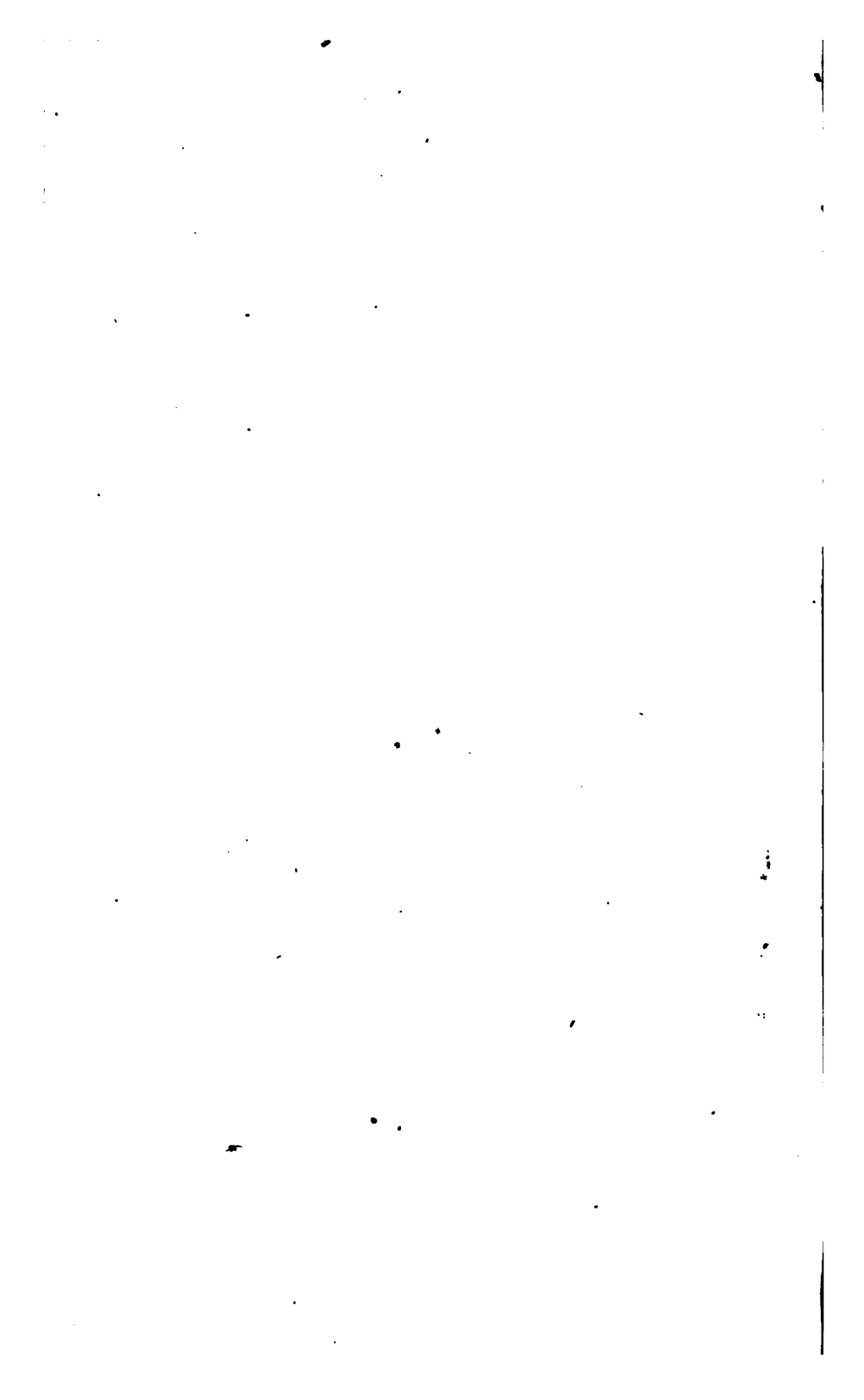
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**JOURNAL**  
**OF THE**  
**SENATE**

**OF THE**  
**COMMONWEALTH**

**OF**  
**PENNSYLVANIA,**

*General Assembly, Senate*  
WHICH COMMENCED AT LANCASTER, THE SECOND DAY OF DECEMBER, IN THE YEAR OF OUR LORD, ONE THOUSAND EIGHT HUNDRED AND SIX, AND OF THE INDEPENDENCE OF THE UNITED STATES OF AMERICA THE THIRTY-FIRST.

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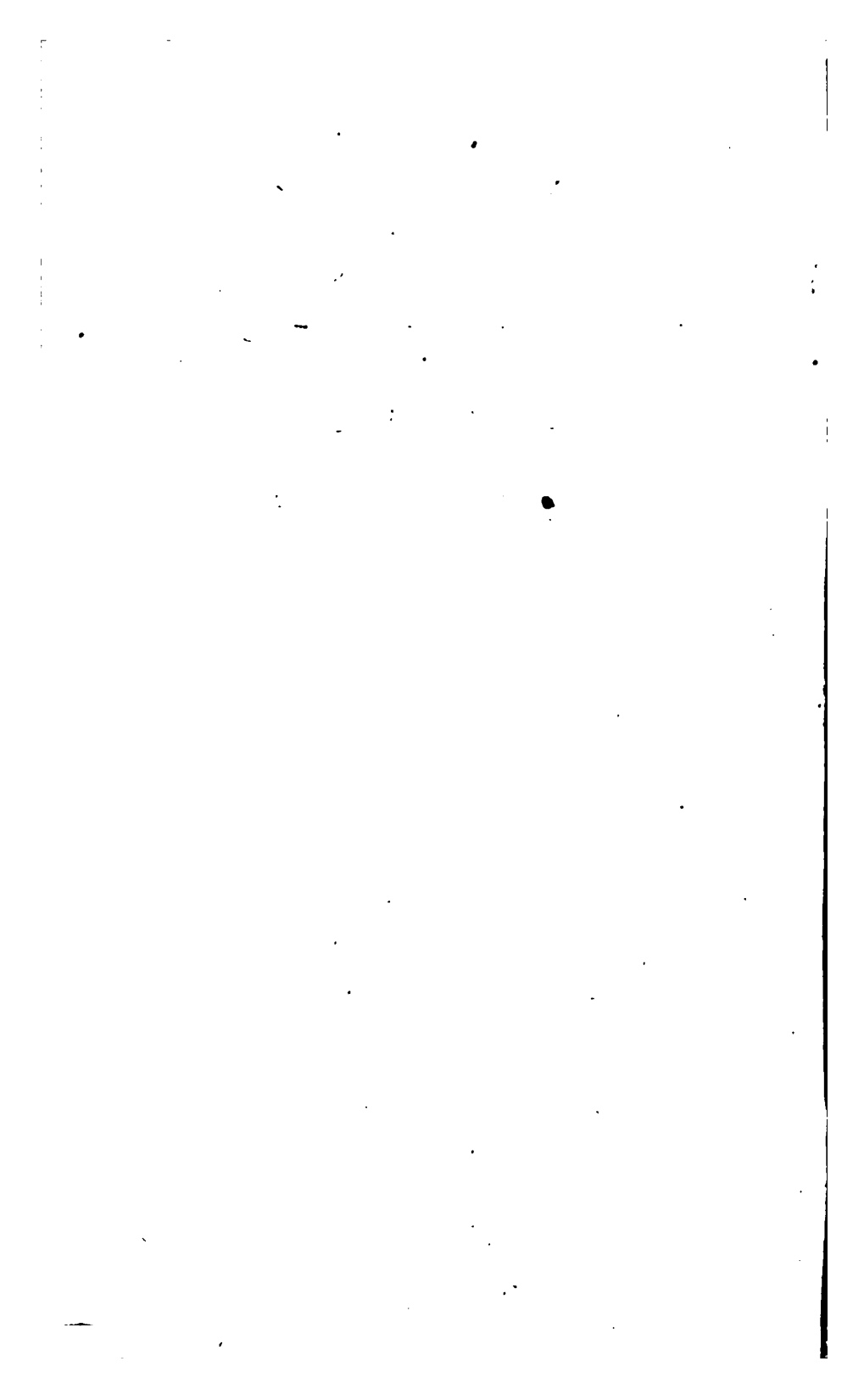
**VOLUME XVII.**

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**LANCASTER,**  
**PRINTED BY JOHN BURNSIDE.**

**1806.**



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# JOURNAL

OF THE

## SENATE

OF THE

Commonwealth of Pennsylvania.

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*Tuesday, December 2, 1806, P. M.*

**AGREEABLY** to the Constitution, the Senate convened.

Present twenty-three Members.

On motion,

The returns of election to supply the places of those Members whose time had expired, were read; by which it appeared, that the following persons were returned as duly elected at the late general election, to wit:

By the district, composed of the  
city of Philadelphia, the county  
of Philadelphia, and the county  
of Delaware,

} JOHN DORSEY.

By the district, composed of the  
county of Chester,

} ISAAC WAYNE.

By the district, composed of the  
county of Lancaster,

} AMOS SLAYMAKER.

## JOURNAL OF THE SENATE.

By the district, composed of the }  
     counties of Berks and Dau- } MELCHIOR RAHM.  
     phin, }  
 By the district, composed of the }  
     county of Northumberland, } JAMES LAIRD.  
 By the district, composed of the }  
     counties of Fayette & Greene, } PRESLEY C. LANE.  
 On motion,

The Senate proceeded to the election of Speaker, (the Clerks being first appointed tellers) and, upon counting the votes, it appeared that Presley Carr Lane had twelve votes, and James Brady eleven votes.

Whereupon,

Presley Carr Lane was declared to be duly chosen Speaker of the Senate, and being conducted to the Chair, made his acknowledgments for the honor just conferred on him by the Senate.

On motion,

Mr. Hart administered the oaths of office, as Member and Speaker, to Mr. Lane.

Thereupon,

The usual qualifications were administered by the Speaker, to the following new Members, to wit:

JOHN DORSEY,	MELCHIOR RAHM,
ISAAC WAYNE,	JAMES LAIRD.
AMOS SLAYMAKER,	

Thereupon,

The Senate adjourned till 10 o'clock, to-morrow morning.

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*Wednesday, December 3, 1806.*

A committee of the House of Representatives being introduced, informed the Senate that the House of Representatives is duly organized, and ready to proceed to business.

## JOURNAL OF THE SENATE.

The Speaker laid before the Senate proposals of certain printers, transmitted by the Secretary of the Commonwealth; the following is an abstract of the same, viz.

*For printing the Journal in the English language.*

William Hamilton asks	\$ 16 per sheet.
John Burnside	14
William Greear	12
Albright & Co.	13
Henry Grimler	13

*For printing the Journal in the German language.*

George & Peter Albright asks	\$ 16 per sheet.
B. Mayer	12
Henry Grimler	11
Albright & Co.	11
Christian J. Hutter asks	\$ 16 per sheet for plain work,
And for figure work	20

*For printing the Bills.*

John Burnside for	1 page	\$ 1
	2	1 50
	3	2 50
	4	3
William Greear for	1	1
	2	1 50
	3	2 25
	4	3
William Hamilton for	4	3 75
	3	3 25
	2	2 25
	1	1 25
John R. Matthews for	1	1
	2	1 50
	3	3
	4	3 25
Henry Grimler for	1	1 25
	2	2
	3	3
	4	3 50

Whereupon, on motion

The said proposals were again read, and referred to Mr. Harris, Mr. M'Arthur and Mr. Pennell, to consider and report thereon.

The Speaker also laid before the Senate, the report of Cadwallader Evans, jun. and John Lyon, commissioners under the act of 31st March last; which was read, and of which the following is a copy, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

THE undersigned commissioners appointed by an act of Assembly, passed during the last session of the Legislature, for the purpose of recovering certain debts due to the said Commonwealth, from the estate of the late John Nicholson, deceased.

Report, That immediately after their appointment, they entered upon the duties assigned them, and have made out maps of such lands of the said John Nicholson as he had paid for, and as had been returned by the respective deputy-surveyors, into the office of the Surveyor-general.

That the undersigned are now engaged in ascertaining the situation and quality of the said lands, and expect to have this part of their business completed in the course of a few weeks, when they will make a more detailed report of their proceedings to the Legislature.

CADWALLADER EVANS, Jun.  
JOHN LYON.

*Kittaning, November 25th, 1806.*

The Speaker likewise laid before the Senate, a letter signed John Riddle, praying to be appointed Sergeant-at-arms or Door-keeper of the Senate; which was read, and

Laid upon the table.

Mr. Mitchell presented the petition of Charles C. Cole, (accompanied with a certificate of recommendation) praying to be appointed Door-keeper of the Senate; which was read, and

Laid upon the table.

Mr. Richards presented the petition of William Wilson, praying to be re-appointed Sergeant-at-arms, of the Senate; which was read, and

Laid upon the table.

Mr. Mayer presented the petition of Adam Hart, praying to be re-appointed Door-keeper of the Senate.



He also presented the petition of Robert Wilson, (accompanied with a certificate of recommendation) praying to be appointed Sergeant-at-arms or Door-keeper of the Senate; which were severally read, and

Laid upon the table.

Mr. Mitchell presented the petition of Mary Clark, of Buffalo township, Cumberland county; stating, that her father, thirty years ago, occupied a ferry on the river Susquehanna, about eight miles above the mouth of the Juniata. That he died during the infancy of the petitioner, and the ferry not being properly attended, has not yielded the profits that otherwise might have been expected: The petitioner therefore prays, for an act, establishing the right of the said ferry in your petitioner; and the same was read, and

Laid upon the table.

Mr. Dorsey presented the petition of the president and directors of the United States insurance company, praying for an act of incorporation; which was read, and

Laid upon the table.

On motion,

Mr. Dorsey and Mr. Harris were appointed a committee to acquaint the House of Representatives that the Senate is duly organized and ready to proceed to business.

And after some time,

Mr. Dorsey reported, that the committee had performed that service,

On motion,

Mr. Brady, Mr. Rahm and Mr. Sommer, were appointed to join a committee of the House of Representatives, and inform the Governor that the General Assembly is duly organized, and ready to proceed to business.

Ordered, That the Clerk acquaint the House of Representatives thereof.

The Clerk of the House of Representatives, presented two several extract from the Journal of that House, which were read as follows, to wit:

## JOURNAL OF THE SENATE.

*" In the House of Representatives,  
December 3, 1806.*

Resolved, That a committee be appointed, in conjunction with a committee of the Senate, to inform the Governor that the General Assembly is duly organized, and to know at what time he may be pleased to make his communications.

Ordered, That Mr. Charles Smith and Mr. Methuselah Davis, be a committee for that purpose."

*" In the House of Representatives,  
December 3, 1806.*

Resolved, That a committee be appointed, to join a committee of the Senate, and report a system of rules for conducting business between the two Houses; and

Ordered, That Messrs. Leib, Ingham and M'Clure, be a committee for that purpose."

On motion,

Mr. Dorsey, Mr. Wayne and Mr. Martin, were appointed a committee to join the committee of the House of Representatives, on the subject of the rules of doing business between the two Houses.

Ordered, That the Clerk acquaint the House of Representatives thereof.

Mr. Brady from the joint committee appointed to wait upon the Governor, and inform him that the General Assembly is duly organized, and ready to receive his communications, reported that the committee had performed that service, and that the Governor informed the committee, that he would deliver his communications to the General Assembly, in the Chamber of the House of Representatives, to-morrow at twelve o'clock at noon.

On motion of Mr. M'Arthur and Mr. Hart, the following resolution was read and adopted.

Resolved, That each Member, and each Clerk of the Senate, be furnished during the present session, with two daily newspapers, or as many weekly papers as shall not exceed the price of two daily ones.

On motion of Mr. Heston and Mr. Poe,

# JOURNAL OF THE SENATE.

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with two daily newspapers, or as many weekly papers as shall not exceed the price of two daily ones.

On motion of Mr. Heston and Mr. Poe,

Ordered, That the choice of Sergeant-at-arms, and Door-keeper, be the order of the day, for Saturday the sixth instant.

Adjourned till 11 o'clock, to-morrow morning.



*Thursday, December 4, 1806.*

The Speaker laid before the Senate a letter signed Samuel Bryan, soliciting the appointment of State-treasurer; which was read, and

Laid upon the table.

The Speaker, also, laid before the Senate a report of the Secretary of the Land-office, of the contingent expences of his office, for the year ending the thirtieth September, one thousand eight hundred and six. The Secretary also states, that the additional appropriation of one thousand dollars, under the act of thirty-first March, one thousand eight hundred and six, has been paid to the following clerks, to wit:

David Reyner	\$ <sup>4</sup> 400	
Joseph Ellicot, jun.	400	
Ephraim Morton	126	{ in addition to his former salary.
George Worrall	74	
		do. do.

*Dollars* 1000

The Secretary further states, that a continuation of this additional allowance of clerk-hire is necessary to carry on the business of his office.

Mr. Dorsey presented the report of the president, directors and company, of the Germantown and Perkiomen turnpike road, which was read; and from which the following particulars are abstracted, viz.

B

Capital stock of the company	\$ 285,000
One year's toll ending second November, one thousand eight hundred and six	\$ 19,059 20
Out of which have been paid, viz.	
Repairs, salaries, &c.	\$ 9,049 42
Twelve months dividend	9,975
Leaving a balance of	34 78
	<hr/> 19,059 20

Mr. Dorsey presented the petition of Maria Rivardi, of the city of Philadelphia; stating, that she has been endeavouring to establish a seminary for the education of young ladies; but that owing to the high rents for buildings which would answer her purpose, she labours under very serious disadvantages, and the beneficial consequences expected from the institution are thus jeopardized; she therefore prays the Legislature to encourage her undertaking by authorizing her to raise a sum of money by way of lottery; and the said petition was read, and

Laid upon the table.

Mr. Harris from the committee to whom, was yesterday, referred the proposals for the printing work of the Senate, made report, which was read as follows, to wit:

The committee to whom was referred the proposals for printing the Journals and Bills of Senate for the present session: Report, in part,

That they have taken the same into consideration, and are of opinion, that they proposals of William Greear, for printing the bills, (which are the lowest) and those of John Burnside, which are on terms similar to his contract of last year, ought to be acceded to.

A committee of the House of Representatives being introduced, informed the Senate, that they were instructed by that House, to introduce the Speaker and Members of the Senate to the Chamber of the House of Representatives, to receive from the Governor his communications.

Whereupon,

The Speaker and Members of the Senate, proceeded to the Chamber of the House of Representatives.

And after some time returned to their own Chamber.

Whereupon,

The Speaker informed the Senate, that after the Governor had finished his address to the General Assembly, he delivered into the hands of the Speaker, a copy thereof; and

Thereupon,

The address was read, as follows, to wit:

*Gentlemen of the Senate, and*

*Gentlemen of the House of Representatives,*

THE favor of divine providence continues to manifest itself towards our country; producing an unprecedented state of public and of private prosperity. The rapid extension of settlements throughout Pennsylvania; the constant improvement in her city, towns and villages; the facility with which labour acquires independence; and the security which every good man enjoys for his person, his religion and his property; may also be justly regarded as proofs of the innate virtue of the people, and of the practical excellence of a republican government. To this general view of the situation of the Commonwealth, the experience of the present year adds peculiar topics for congratulation and gratitude. At no former period has the blessing of health been more generally diffused; no former season has furnished a greater abundance of the various fruits of the earth; and the reviving harmony of social life seems to give to the present session of the Legislature, an influence, and a hope, the most auspicious, and the most precious.

The enlightened and patriotic conduct of the Federal administration affords an ample assurance that the peace, the honor, and the independence of the Union, will be guarded alike against foreign outrage, and domestic tumult. But gentlemen, the Legislative trust of the individual States is an essential, as well as a constitutional auxiliary to the authority of the Federal government: For it is your im-

mediate province to improve every local advantage, and to supply every local want; to elevate the morals and to reform the manners of the community; to establish the dominion of the laws over the passions, or the vices of individuals, to mature the deeds of national opulence by the cultivation of useful arts and sciences and to lay the foundations of national strength in a brave and disciplined militia. A trust so important will, I am confident, awaken all your vigilance and engage all your wisdom: And I renew, with deference but with sincerity, the offer of a cordial co-operation in every measure calculated to advance the political or the social happiness of our constituents.

The records of the General Assembly will bring to your view most of the objects, that have hitherto been deemed material to complete the system of our laws, upon the principles of the constitution. In the judicial department, I pray you particularly to consider the incompetency of the number of the judges of the supreme court to the performance of the duties annually required in the forty-two counties of the State. The abolition of the high court of errors and appeals renders indeed an augmentation of the number indispensable, in order to secure a satisfactory revisionary power; without which (contrary to the soundest maxims of jurisprudence) the errors of a first judgment pronounced by a single tribunal will exist without remedy or controul. Every attempt to insure an impartial trial by jury in civil as well as in criminal cases, merits approbation; but permit me to suggest, that the chance of the wheel (which operates advantageously in that respect) must frequently produce a pannel of jurors, whose previous education and pursuits may not have qualified them to investigate and decide the complicated questions that arise, especially in a great commercial city. If therefore with the means for insuring impartiality you can combine the means to insure a competency of knowledge as well as of integrity, for the various duties to be performed, your system will be at once efficient and meritorious.

In connection with the administration of justice you will naturally be led to examine the state and operation of our criminal code; and although I am not aware of any radical defect either in the theory or the practice, it is time perhaps to enquire and to ascertain whether punishments have been duly apportioned to crimes; and whether even the necessity to punish may not be relieved in a salutary degree by employing additional instruments of precaution and prevention. An increase of petty offences in the city and county of Philadelphia may be ascribed to the increase of a particular description of the population; comprising not only the idle and the dissolute of our own State, but the fugitive and the depraved from other States. The inconvenience and the danger require an early and a certain corrective, but in its application care will be taken, I am persuaded, to maintain the public police without violating the rights of humanity.

May I not here be allowed, without incurring the imputation of a personal motive, to remind the legislative guardians of the reputation as well as of the lives and fortunes of our fellow citizens, that libelling (gross and malignant libelling) has become the crying sin of the nation and the times. It is not the licentiousness of a single press; nor the machinations of a particular party, to which, in the faithful execution of my office, the Legislative attention is thus directed: The crime is to me the same, whoever may be the criminal and whoever may be the victim. But it is the general prostitution of the liberty of the press; the overwhelming torrent of political dissention; the indiscriminate demolition of public characters; and the barbarous inroads upon the peace and happiness of private individuals; which constitute in my mind a subject of the highest concern to yourselves and to your posterity. The fatal consequences of this public malady begin already to appear. The press has lost its uses, as an instructor, and a censor. Citizens of the same community are pledged to mutual hatred and persecution. All respect for the magistracy and the laws is falling into derision. Good and wise men will soon aban-

don the field of public service, and, with a fatality not uncommon in the history of nations the avowed friends of a free representative government are arming its real enemies with weapons for its destruction.

The evil, gentlemen, is obvious and afflicting; but where shall we seek the antidote and the cure? The most zealous advocates of a free press have always thought, that to preserve its liberty its licentiousness must be restrained. The law provides perhaps sufficiently for the punishment of a convicted libeller; but the inadequacy of that species of reparation to the feelings and fame of the injured individual; and even the opportunities to escape conviction; are points on which the law is still susceptible of great and constitutional amendment. I would therefore venture to suggest that every printer who assails the character of a citizen should be compelled, if required, to publish the defence; that every printer and editor of a newspaper, or other periodical work should register his name in some public office of the proper county, to be evidence of the fact of publication upon trials at law; and that whenever a grand jury shall present a press as a public nuisance, the printer and the editor should be bound in a recognizance, with sureties for their future good behaviour and the court authorized to suppress it for a limited time. But after all it cannot be denied, that the only effectual remedy must be supplied, by the good sense and virtue of the community; since the crime of libelling like the crime of duelling will forever depend for its indulgence and its impunity, upon public taste and public opinion. Your predecessors, indeed, lately enacted a law for the more effectual prevention and punishment of duels: But reflecting that duels are among the natural and usual effects of libels, you gentlemen will, I am confident, be solicitous to discredit and suppress the cause of such complicated mischief by the influence of your example and advice, as well as by the exercise of your Legislative authority.

In contemplating those objects of public improvement, which require the aid and sanction of the government, the



general condition of our roads, especially on the Laurel-hill and on the north-west side of the river Ohio, our waters and canals will merit particular favor and attention. A patriotic and laudable spirit of enterprize has led in this direction to the disbursement of a great mass of private wealth; but it is reasonable as well as politic, that a competent contribution should be made by the ample resources of the Commonwealth, to avert from several important undertakings the danger of failure and disappointment. The projected canals between the bays of Delaware and Chesapeake and at the rapids of the river Ohio claim pre-eminently the pecuniary succour of Pennsylvania, Kentucky, Maryland and Delaware; and they are indeed national objects, which would well deserve the patronage of the Union.

The number, discipline, and equipment of the militia are such as do honor to the freemen who compose it, and to the government by which it is organized and directed. An addition of twenty thousand stand of muskets and twenty-five brass field pieces, has been recently made to the arms and ordnance of the State; but a further appropriation will be necessary, to furnish cartouch-boxes and other accoutrements. Permit me also to remind you that the accumulation of arms, ordnance and military stores renders it expedient to provide more effectually for their security and preservation.

*Gentlemen of the House of Representatives,*

The official reports of the Comptroller and Register will exhibit a comprehensive view of our finances; in the result of which you will perceive, that the ordinary revenue of the State is sufficient to defray the ordinary expences. But it has been a favorite object in my communications to your predecessors, to prevail upon them to raise by a moderate tax, a specific fund for the expences of government; leaving the annual income of our stock, for the advancement of works of public utility and the endowment of seminaries of education. A renewal of the suggestion, will not be disagreeable to a general assembly, in whose attachment to the principles of republicanism, in whose exertions for the diffusion of knowledge I re-

pose an implicit confidence, and at a time when the general prosperity seems to invite it.

*Gentlemen of the Senate, and*

*Gentlemen of the House of Representatives,*

We meet for the performance of an arduous and important duty. The purity of your motives and the rectitude of your conduct will, I am persuaded, justify the confidence that is reposed in you. As to myself, I have ever felt the best dispositions of heart and of head to repay the obligations which I owe to my county, for its kindness during a long and active life. It cannot however be presumed, that I have not erred in judgment on former occasions; nor do the infirmities of age diminish the probability of future errors. Let me therefore bespeak a candid interpretation of my words and my actions; and, if a difference of opinion should arise between us upon public affairs, let both lament it as a misfortune; but let neither impute it as a crime.

THOMAS M'KEAN.

*Lancaster, December 4, 1806.*

On motion of Mr. Wayne and Mr. M'Arthur,  
Ordered, That the usual number of copies of the Governor's Address be printed, for the use of the Members.

On motion,

Mr. Miller, Mr. Poe and Mr. Lattimore, were appointed a committee to examine the files, and report the unfinished business.

On motion,

Mr. Brady, Mr. Martin and Mr. Laird, were appointed a committee to report what, if any, laws will expire previously to the meeting of the next Legislature.

On motion,

Mr. Hart, Mr. Dorsey and Mr. Sommer, were appointed a committee of accounts.

On motion,

Mr. Vance, Mr. Wayne, Mr. Harris, Mr. Hart and Mr. Miller, were appointed a committee to compare Bills and present them to the Governor for his approbation.

On motion,  
Mr. Vance, Mr. Wayne, Mr. Harris, Mr. Hart and Mr. Miller, were appointed a committee to compare bills and present them to the Governor for his approbation.

On motion of Mr. Hart and Mr. Wayne,  
The choice of printers of the Bills, and Journal in the English language, was made the order of the day for to-morrow.

On motion of Mr. Miller and Mr. Brady,  
Agreed, That the Senate will meet at eleven o'clock, in the morning of each day.

Whereupon,  
The Senate adjourned till 11 o'clock, to-morrow morning.

~~~~~  
*Friday, December 5, 1806.*

The Secretary of the Commonwealth presented a message from the Governor, together with the documents therein referred to.

The message was read as follows, to wit :  
*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

THE Secretary will deliver, herewith, to the respective Houses, copies of the reports, to me from the several officers of the accountant and land departments.

THOMAS M'KEAN.

*Lancaster, December 4, 1806.*

The following is an abstract of the documents, to wit :

A report of the Comptroller and Register-general, of the finances of the Commonwealth.

A report of the situation of the business in the office of the Secretary of the Land-office.

A report of the situation of the business in the office of the Surveyor-general.

A report of the situation of the business in the office of the Receiver-general.

Agreeably to the order of the day, the Senate proceeded to the election of printers of the Bills and Journal, in the English language; (the Clerks being first appointed tellers) and, upon counting the votes, it appeared that William Greear was unanimously chosen printer of the Bills, and John Burnside printer of the Journal, in the English language.

Whereupon,

Ordered, That the Clerk acquaint the Secretary of the Commonwealth thereof, in order that the requisite sureties may be given by the said printers.

The petition of Maria Rivardi, read yesterday, was again read, and referred to Mr. Dorsey, Mr. Heister and Mr. Rahm, to consider and report thereon.

The petition of Mary Clark, read on the third instant, was again read, and referred to Mr. Mitchell, Mr. Laird and Mr. Martin, to consider and report thereon.

The petition of the president, directors and company, of the United States insurance company, read on the third instant, was again read, and referred to Mr. Dorsey, Mr. Heston and Mr. Sommer, to consider and report thereon.

On motion of Mr. Mitchell and Mr. Hart,

The address delivered by the Governor (yesterday) to the General Assembly, was again read, and referred to Mr. Wayne, Mr. Mitchell and Mr. Vance, to consider and report thereon.

Agreeably to the act of the fifth February, one thousand eight hundred and two, entitled "An act to prescribe the times, places and manner of choosing Senators, to represent this State, in the Senate of the United States ;"

The Senate proceeded to the nomination of candidates to supply the vacancy which will occur on the fourth March next, by the expiration of the time for which

George Logan, Esquire, one of the present Members in the Senate of the United States was chosen.

Whereupon,

|               |           |                       |
|---------------|-----------|-----------------------|
| Mr. Harris,   | nominated | Andrew Gregg,         |
| Mr. Heston,   | -         | George Logan,         |
| Mr. Wayne,    | -         | Joseph Hemphill,      |
| Mr. Dorsey,   | -         | Michael Leib,         |
| Mr. Mitchell, | -         | Nathaniel B. Boileau, |
| Mr. Vance,    | -         | John Steele,          |
| Mr. Spangler, | -         | Isaac Weaver, junior. |

And, Mr. Richards was appointed teller, to officiate on the part of the Senate, at the election on Tuesday next.

Ordered, That the Clerk acquaint the House of Representatives thereof.

Adjourned till 11 o'clock, to-morrow morning.

## *Saturday, December 6, 1806.*

Mr. Wayne from the committee appointed for that purpose, yesterday, made report, of which the following is a copy, to wit:

The committee to whom was referred the Governor's communications to each branch of the Legislature, for the purpose of arranging the various Legislative objects therein contained,

Report, That they have considered the same, and are of opinion, that committees ought to be appointed on the following subjects, viz.

1. On the judiciary department.
2. On the laws directing the mode of selecting and returning jurors.
3. On the penal code.
4. On libels.
5. On roads.
6. On the militia establishment.
7. On schools or seminaries of learning.

Agreeably to order, the Senate proceeded to choose their Sergeant-at-arms and Door-keeper, and upon counting the votes it appeared that William Wilson was unanimously elected Sergeant-at-arms, and Adam Hart, duly elected Door-keeper.

Whereupon,

The Speaker administered to them the usual oaths of office.

The Clerk of the House of Representatives, presented an extract from the Journal of that House, which was read as follows, to wit:

*"In the House of Representatives,  
December 6, 1806.*

On motion,

The House proceeded to the nomination of candidates for a Senator, to represent this State, in the Senate of the United States, and the following gentlemen were nominated, viz.

|                  |                            |
|------------------|----------------------------|
| John Steele,     | Andrew Gregg,              |
| Michael Leib,    | George Lattimore,          |
| George Logan,    | Nathaniel B. Boileau, and  |
| Joseph Hemphill, | James Ross, of Pittsburgh. |

Mr. Gardner was appointed teller to officiate at the election on Tuesday next; and

On motion,

Ordered, That the Clerk inform the Senate of the nomination and appointment aforesaid."

Adjourned till 11 o'clock, Monday morning.

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## *Monday, December 8, 1806.*

The Speaker laid before the Senate a letter signed Mathias Barton, soliciting the appointment of State-treasurer; which was read, and

Laid upon the table.

Mr. Dorsey from the committee to whom was referred, on the fourth instant, the petition of Maria Rivardi, made report, as follows, to wit:

That in their opinion it would be well to grant the object of the petitioner, she having exhibited certificates and other information from the clergy and respectable inhabitants of the usefulness, value and extensiveness of the institution over which she has presided for several years past; they therefore recommend that a committee be appointed to bring in bill for the aforesaid purpose.

Whereupon,

On motion and by special order, the said report was again read, considered and adopted.

Ordered, That the committee who brought in the report, be the committee to bring in a bill agreeably thereto.

On motion of Mr. Wayne and Mr. Hart,

The following resolution was read and adopted, to wit :

Resolved, That a committee be appointed to join a committee of the House of Representatives, (should that House think proper to appoint such committee) to enquire whether any and (if any) what regulations should be adopted relative to the library belonging to the General Assembly of this Commonwealth.

Ordered, That Mr. Wayne, Mr. Dorsey and Mr. Brady, be the committee for that purpose ; and

That the Clerk acquaint the House of Representatives thereof.

Moved by Mr. Richards and Mr. Hart,

Resolved, That the Clerk be authorized to direct the printer of the Journal of the Senate, to strike off fifty additional copies of the Journal, to enable the Clerk to furnish the printers of newspapers and others, who may apply for the same.

Resolved, That the Clerk of Senate, as soon as the printing of the Journal and Bills of this session are finished, shall employ a person skilled in printing, to examine the same, and report to him whether they have been done agreeably to the resolution, of one thousand eight hundred and two.

Ordered to lie upon the table.

The report of the committee on the Governor's address, read the sixth instant, was again read.

Whereupon,

The subjects therein contained were severally referred as follow, to wit:

1. Item, to Messrs. Wayne, Vance, Heister, Dorsey and Lattimore.
2. Item, to Messrs. Harris, Hart and Martin,
3. Item, to Messrs. Brady, Wayne and Miller.
4. Item, to Messrs. Pennell, M<sup>r</sup>Arthur, Wayne, Rahm and Mayer.
5. Item, to Messrs. M<sup>r</sup>Arthur, Slaymaker, Laird, Richard and Spangler.
6. Item, to Messrs. Pennell, Poe, Hart, Sommer and Miller.
7. Item, to Messrs. Brady, Pennell, Heston, Harris, and M<sup>r</sup>Arthur.

Adjourned till 11 o'clock, to-morrow morning.

## *Tuesday, December 9, 1806.*

Mr. Miller from the committee appointed for that purpose, on the fourth instant, made report, which was read, and of which the following is a copy, to wit:

The committee appointed to examine the files and bring forward the unfinished business:

Report, That on examination, the following appears to be unfinished, viz.

### BILLS.

No. 32. An act making appropriations for the repair of public roads within this Commonwealth.

64. An act for the relief of William Henry Killbuck.

77. An act for the establishment of schools throughout this Commonwealth.

93. An act to raise by way of lottery, a sum not exceeding two thousand five hundred dollars, for finishing a church in the town of Hanover, in the county of York.



96. An act authorizing the Governor to incorporate a company for making a turnpike from Harrisburg through Lewistown, to Pittsburg.

105. A supplement to the act, entitled "An act to encourage the patenting of lands, and for other purposes therein mentioned."

132. An act supplementary to the act, entitled "An act directing the mode of selecting and returning jurors."

A resolution directing the Governor to furnish the Executive of each State, with a copy of the laws of this session, and requesting a copy of theirs.

#### PETITIONS, MEMORIALS, &c.

1. Memorial of the citizens of Philadelphia respecting the insolvent laws. (Reported, but report not acted on. See 2d January, 1806.)

2. Petition of James Orbison, attorney in fact for Alexander Robinson. (Report made 15th March, and recommended to the attention of the next Legislature.)

3. Petition of William Sherrard, respecting land. (Recommended to the early attention of the next Legislature.)

4. Petition of Roman Catholics of Elizabethtown, Lancaster county, for a lottery.

5. Petition of Timothy Matlack, for compensation.

Report of the committee respecting the right of Henry Wertz, junior, to hold a seat in Senate. (See Journal, page 419.)

Report of the committee on the application of general John Steele. (See 4th March, 1806.)

The Speaker laid before the Senate the report of James Ross and James Hopkins, counsel appointed by the resolution of the General Assembly of the thirty-first March, one thousand eight hundred and six, which was read as follows, to wit:

In obedience to a resolution of the honorable the Senate, and the House of Representatives of the Commonwealth of Pennsylvania, approved by the Governor on the thirty-first day of March, in the present year; We

the undersigned who were thereby appointed counsel in behalf of the inhabitants within the supposed manor of Springetsbury, against whom suits were pending in the courts of the United States;

Beg leave to report,

That in pursuance of this appointment we attended the circuit court of the United States, holden at Philadelphia, for the district of Pennsylvania, on the twenty-ninth day of April last, where we found a number of ejectments instituted by John Penn and Richard Penn, representatives of the late proprietaries of Pennsylvania, against divers inhabitants within the supposed manor of Springetsbury: In all these actions the plaintiffs were prepared for trial, and urged the court that they should be heard.

The defendants who claim the lands within this supposed manor, although fully apprized of the intended trials, did not attend the court; nor did any agent appear on their behalf; nor did they transmit to us their title papers or other documents by which their respective claims might be maintained.

Having no legal reason to assign for the postponement of these trials; nor any assurance that the defendants would take measures for placing themselves in a better condition at a future meeting of the court, we found ourselves compelled to proceed in their defence without any other testimony than that which had been given at a former trial in the same court, for lands claimed by the same plaintiffs within the same supposed manor.

The opinion of the court was the same as formerly, and the juries gave verdicts against the defendants in conformity to that opinion; we, however, took a bill of exceptions to the opinion delivered by the court, and prepared all other matters for attaining a fair and a final determination of this dispute before the supreme court of the United States.

We proceeded to give notice to those of the defendants who were immediately interested, that writs of error must be sued out, if they wished a further defence of

their titles; and that unless measures were taken for prosecuting these writs there could be no review or reversal of the judgment given by the circuit court.

Having received no power or direction from the defendants to carry their causes before the supreme court of the United States, and having no authority to promise that the Commonwealth would be answerable for the costs accruing on writs of error in these actions; we have thought it our duty to state and submit the whole proceedings to the Legislature from whom we received our appointment; and without whose interposition we humbly conceive it would not be deemed proper for us to assume or exercise further controul over this momentous business.

JAMES ROSS,  
JAMES HOPKINS.

*December 9, 1806.*

To the Honorable the Senate and the  
House of Representatives of the  
Commonwealth of Pennsylvania. }

The Speaker also laid before the Senate, a letter signed George Bryan, soliciting a re-appointment to the Clerkship of the Senate; which was read, and

Laid upon the table.

The Speaker likewise laid before the Senate, a letter signed Jacob Eberman, soliciting the appointment of State-treasurer; which was read, and

Laid upon the table.

Moved by Mr. Pennell and Mr. Hart,

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met,* That in addition to the present number of Journals of the Legislature, printed in the English language, there shall be six hundred copies printed and delivered into the office of the Secretary of the Commonwealth, and distributed agreeably to the act of the sixth April, one thousand eight hundred and two, entitled "An act to provide for the distribution of the Laws and Journals of the General Assembly of this Commonwealth.

Ordered to lye upon the table.

D

Agreeably to the order of the day, the Senate proceeded to the appointment of Clerk, (Mr. Wayne being first appointed teller) and upon counting the votes it appeared that George Bryan was unanimously re-elected.

Whereupon,

The Speaker administered the usual oaths of office to Mr. Bryan.

The Speaker informed the Senate, that the Clerk nominated Stacy Potts, junior, as his assistant; in which nomination the Senate concurred.

The resolutions offered yesterday, by Mr. Richards, to wit:

Directing the Clerk to procure fifty additional copies of the Journal to be struck off for the use of printers and others who may apply for the same: And directing the Clerk to employ a person skilled in printing to examine the printing-work of the present session; were severally read the second time, considered and adopted.

A committee of the House of Representatives informed the Senate, "That the Chamber of the House of Representatives is now ready to receive the Speaker and Members of the Senate, for the purpose of proceeding to the choice of a Senator of the United States, in the place of George Logan, whose time will expire on the fourth day of March next."

Whereupon,

The Senate adjourned for one hour.

*SAME DAY, in the afternoon.*

Mr. Richards, teller on the part of the Senate to officiate at the election of a Senator of the United States, in the place of George Logan, whose time will expire on the fourth day of March next; made report, in part, as follows, to wit:

That at a meeting of the Members of the General Assembly, held this day, in the Chamber of the House of Representatives, agreeably to law, three several polls were taken, and the result of each appeared as follows, to wit:

## JOURNAL OF THE SENATE.

27

For John Steele, fifty-four votes.

For Andrew Gregg, fifty-four votes.

That as neither candidate had a majority of votes no choice was made.

Whereupon,

The meeting was adjourned till twelve o'clock on Tuesday the sixteenth instant.

JOHN RICHARDS, *Teller*

*on the part of Senate.*

Adjourned till 11 o'clock to-morrow morning.

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*Wednesday, December 10, 1806.*

The Speaker laid before the Senate, a letter signed Isaac Weaver, junior, State-treasurer; stating, that the usual mode of advancing money to Members will, if persisted in prevent as speedy a settlement of his accounts as he wishes, and as he conceives that the Speakers of the two Houses have full power by the act of February second, one thousand seven hundred and ninety-one, to draw their warrants on the State-treasurer for such sums as may enable them to make the necessary advances to Members. That the money thus drawn by the respective Speakers from the State-treasury may be placed in the Bank, and re-drawn by them as occasion requires: He, therefore, respectfully submits this plan, which will enable him to close his accounts upon his retiring from office; and the same was read, and

Ordered to lie upon the table.

Mr. Mayer presented the petition of the minister, trustees, elders and church-wardens, of the German Lutheran congregation, in and near the borough of Lancaster; stating, that in erecting a steeple to their church, they have incurred debts which they are unable to pay; the petitioners therefore pray, that they may be authoriz-

ed, to raise three thousand six hundred dollars by lottery; and the same was read, and

Ordered to lie upon the table.

Mr. Hart from the committee of accounts, made report, in part, which was read as follows, to wit:

That there is due to William Boyd, for eight days service as Assistant Clerk of Senate - \$ 32 00

Attendance at the seat of government and returning - 8 00

---

Dollars 40 00

---

The committee therefore submit the following resolution, to wit:

Resolved, That the Clerk pay the above sum of forty dollars to William Boyd, out of the monies in his hands, for the purpose of paying the contingent expences of the Senate.

Whereupon,

On motion of Mr. Brady and Mr. Miller,

The report was again read, and being under consideration;

A motion was made by Mr. M<sup>r</sup>Arthur and Mr. Pennell, to amend the report by striking out the item of "Attendance at the seat of government and returning, eight dollars"

The question, on the motion, being put, was determined in the negative.

Thereupon,

The report was adopted.

The Clerk of the House of Representatives presented an extract from the Journal of that House, which was read as follows, to wit:

*"In the House of Representatives,*

*December 10, 1806.*

Resolved, That a committee be appointed to join a committee of the Senate, (already appointed) to enquire whether any and, (if any) what regulations should be

adopted relative to the Library belonging to the General Assembly of this Commonwealth; and

Ordered, That Messrs. Leib, Ingham and C. Smith, be a committee for that purpose."

Moved by Mr. Vance and Mr. Hart,

Whereas it appears that some differences have arisen on the execution of a resolution of the General Assembly, passed the second day of April, one thousand eight hundred and four, directing that no laws shall be published in the newspapers at the public expence, for the future, but such as are of a public or general nature; Therefore,

Resolved, That a committee be appointed to enquire and report to Senate, whether the said resolution has been so executed, as to answer fully the objects of the General Assembly therein held forth; and also to examine said resolution, whether any and if any, what amendments are necessary to the same.

Ordered to lie upon the table.

Moved by Mr. Wayne and Mr. Hart,

Whereas by recurrence to the Journals of preceeding Legislatures, it will appear that petitions, &c. originating business of great importance, are not presented until advanced periods of the sessions, which circumstance precludes due deliberation upon said business, or occasions lengthy sessions to the great expence of the citizens of this Commonwealth: Therefore be it,

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met,* That all persons who may have business to lay before the Legislature, be requested to forward the same at an early period of the sessions, as it is the anxious wish of the General Assembly to adjourn as soon as may be consistent with a faithful discharge of their Legislative duties.

Resolved, That the Clerk of the Senate, and the Clerk of the House of Representatives, cause the above resolution to be inserted in \_\_\_\_\_ of the Philadelphia papers, and in \_\_\_\_\_ published,

in the borough of Lancaster, the expence accruing upon said insertions to be defrayed out of the contingent funds of the respective Houses.

Ordered to lie upon the table.

Adjourned till 11 o'clock, to-morrow morning.

## *Thursday, December 11, 1806.*

Mr. Wayne presented the petition of the president, managers and company, of the Schuylkill and Susquehanna navigation; stating, that notwithstanding the protection and support afforded by the Legislature to their institution, very considerable difficulties still exist, which can only be removed by raising a large sum of money; that this cannot be done unless by a foreign loan, the procuring of which the petitioners have some grounds to indulge expectations, provided certain alterations be made in the act of incorporation: They therefore pray, that a law may be passed accordingly; and the said petition was twice read, and referred to Mr. Wayne, Mr. Harris, Mr. Rahm, Mr. Heister and Mr. Mitchell, to consider and report thereon.

Mr. Mayer presented the petition of John Hubley, praying to be appointed State-treasurer; which was read, and

Laid upon the table.

Mr. Mitchell from the committee to whom was referred on the fifth instant, the petition of Mary Clerk, on leave now given, reported a bill, entitled "An act to establish a public ferry on the west side of the river Susquehanna, about eight miles above the mouth of Juniata river, in Cumberland county, and to vest the right thereof in Mary Clark, her heirs and assigns," which was read the first time.

Mr. Harris from the committee to whom was referred on the third instant, the proposals of sundry persons, for printing the Bills and Journals of the Senate, made further report, as follows, to wit:



That having examined and considered said proposals, respectively, are of opinion that those of Henry Grimler, for printing the Journal of Senate in the German language should be agreed to.

The petition of the minister, &c. of the German Lutheran congregation in and near Lancaster, read yesterday, was again read, and referred to Mr. Mayer, Mr. Richards and Mr. Laird, to consider and report thereon, by bill or otherwise.

On motion of Mr. Richards and Mr. Heister,

The Senate reconsidered the resolution adopted on the ninth instant, respecting the additional number of copies of the Journal, and amended the same, so as to read as follows, to wit:

Resolved, That the Clerk be authorized to direct the printer of the Journal of the Senate, to strike off one hundred and fifty additional copies of the Journal, to enable the Clerk to furnish the printers of newspapers and others, who may apply for the same.

The resolution offered by Mr. Vance and Mr. Hart, yesterday, respecting the publication of laws in newspapers, was again read, considered and adopted.

Whereupon,

Ordered, That Mr. Vance, Mr. Wayne and Mr. Dorsey, be a committee for the purpose expressed in the said resolution.

On motion,

The Senate proceeded to the choice of a printer of their Journal in the German language, (the Clerks being first appointed tellers) and, upon counting the votes, it appeared that Henry Grimler was unanimously chosen.

Ordered, That the Clerk acquaint the Secretary of the Commonwealth thereof, in order that the requisite surety may be given by the said printer.

The report of James Ross and James Hopkins, on the subject of the manor of Springetsbury lands, read on the ninth instant, was again read, and referred to Mr. Miller, Mr. Spangler, Mr. Brady, Mr.

Mr. Arthur and Mr. Slaymaker, to consider and report thereon.

Adjourned till 11 o'clock, to-morrow morning.

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*Friday, December 12, 1806.*

Mr. Mitchell presented the petition of John Ashton, late a lieutenant in the Pennsylvania line; stating, that he entered the service of his country at an early period, and continued therein till the derangement under the resolution of Congress of the fourth June, one thousand seven hundred and seventy-eight, upon which he settled in a remote part of Virginia, and had not an opportunity of applying for his pay before the act of limitation took place; he therefore prays the interposition of the Legislature; and the said petition was twice read, and referred to Mr. Mitchell, Mr. Poe and Mr. Martin, to consider and report thereon, by bill or otherwise.

Mr. Harris presented the petition of the subscribers thereto, inhabitants of Clearfield county; stating, that there has been considerable damage done in said county, by panthers killing hogs and sheep: they therefore pray the Legislature to pass a law, granting a reward for the killing of panthers, payable out of the county taxes; and the said petition was twice read, and referred to Mr. Harris, Mr. Mitchell and Mr. Lattimore, to consider and report thereon.

The resolution for procuring to be printed and delivered, into the office of the Secretary of the Commonwealth, six hundred copies of the Journals of the General Assembly, in the English language, in addition to the number heretofore printed; was read the second time, and referred to Mr. Sommer, Mr. Pennell, Mr. Brady, Mr. Mitchell and Mr. Vance, to consider and report thereon.

The report of the committee appointed to examine the files and bring forward the unfinished business, read on the ninth instant, was again read, considered, and the following orders taken thereon, to wit:

1. Item, "An act making appropriations for the repair of public roads within this Commonwealth;" referred to the committee to whom was referred, on the eighth instant, that part of the Governor's address relative to roads.

2. Item, "An act for the relief of William Henry Kilbuck;" referred to Mr. Martin, Mr. Miller and Mr. Heston, to consider and report thereon.

3. Item, "An act for the establishment of schools throughout this Commonwealth;" referred to the committee to whom was referred, on the eighth instant, that part of the Governor's address relative to seminaries of education.

4. Item "An act to raise by way of lottery a sum not exceeding two thousand five hundred dollars, for finishing a church in the town of Haver, in the county of York;" being under consideration.

A motion was made by Mr. Wayne and Mr. Pennell, to postpone the same generally,

Which was not agreed to.

Thereupon,

The said bill was referred to Mr. Miller, Mr. Spangler and Mr. Heister, to consider and report thereon.

5. Item, "An act authorizing the Governor to incorporate a company for making a turnpike from Harrisburg, through Lewistown, to Pittsburg;" referred to Mr. Harris, Mr. Brady, Mr. Sommer, Mr. Poe and Mr. Mitchell, to consider and report thereon.

6. Item "A supplement to the act, entitled "An act to encourage the patenting of lands, and for other purposes therein mentioned;" referred to Mr. M'Arthur, Mr. Wayne and Mr. Laird, to consider and report thereon.

7. Item, "An act supplementary to the act, entitled "An act directing the mode of selecting and returning

jurors;" referred to the committee to whom was referred that part of the Governor's address, relative to the same subject, to consider and report thereon.

8. Item, A resolution directing the Governor to furnish the executive of each State, with a copy of the laws of this session, and requesting a copy of theirs; was referred to Mr. Mayer, Mr. Slaymaker and Mr. Lattimore, to consider and report thereon.

9. Item, Memorial of the citizens of Philadelphia respecting the insolvent laws, reported, but report not acted on; (See second January, one thousand eight hundred and six;) referred to Mr. Dorsey, Mr. Heston, Mr. Sommer, Mr. Brady and Mr. Wayne, to consider and report thereon.

10. Item, Petition of James Orbison, attorney in fact for Alexander Robison; (Report made fifteenth March, and recommended to the attention of the next Legislature;) referred to Mr. Miller, Mr. Pennell and Mr. Richards, to consider and report thereon.

11. Item, Petition of William Sherrard, respecting land; (recommended to the early attention of the next Legislature;) referred to Mr. Brady, Mr. M'Arthur and Mr. Hart, to consider and report thereon.

12. Item, Petition of the Roman Catholics of Elizabethtown, Lancaster county, for a lottery;

Being under consideration,

A motion was made by Mr. Mitchell and Mr. Heston, to postpone the same generally,

Which was not agreed to.

Whereupon,

The said petition was referred to the committee, to whom was referred the fourth item of this report.

13 Item, Petition of Timothy Matlock, for compensation; referred to Mr. Brady, Mr. Pennell and Mr. Heston, to consider and report thereon.

The fourteenth and fifteenth items, to wit; "Report of the committee respecting the right of Henry Wertz, junior, to hold a seat in Senate;" (see Journal, page four hundred and nineteen.)

"Report of the committee on the application of General John Steele;" (See fourth March, one thousand eight hundred and six;) were postponed for the present.

Whereupon,

The Senate adjourned 'till 11 o'clock, to-morrow morning.

*Saturday, December 13, 1806.*

Mr. Sommer from the committee to whom was yesterday referred, the resolution directing the printing of an additional number of copies of the Journals of the General Assembly, reported the same with amendments, which were read as reported.

Mr. Harris from the committee to whom was yesterday referred, the petition of the subscribers thereto, inhabitants of Clearfield county, on leave then given, reported the bill, entitled "An act to encourage the killing of panthers," which was read the first time.

Mr. Wayne from the committee to whom was referred, on the eleventh instant, the petition of the president, managers and company, of the Schuylkill and Susquehanna navigation, on leave now given, reported the bill, entitled "A supplement to an act, entitled "An act to enable the Governor of this Commonwealth to incorporate a company, for opening a canal and lock navigation between the rivers Schuylkill and Susquehanna, by the waters of Tulpehocken, Quittapahilla and Swatara, in the counties of Berks and Dauphin," which was read the first time.

Mr. Dorsey from the committee appointed for that purpose, on the third instant, made report, which was read as follows, to wit:

The committee appointed to join a committee of the House of Representatives, to form a system of rules for conducting business between the two Houses: Report.

1. All bills, resolutions, votes and amendments of either House, to which the concurrence of both is necessary, as well as messages, shall be presented to the other, by the Clerk of the House, from which they are sent, and shall be acted upon at such times as may be convenient to the House receiving the same, unless either House shall otherwise direct.

2. When a message shall be sent from the Senate to the House of Representatives, it shall be announced at the door of the House, by the Sergeant-at-arms or Door-keeper, and shall be respectfully communicated to the Chair, by the person by whom it is sent. The same ceremony shall be observed, when a message shall be sent from the House of Representatives to the Senate.

3. In every case of amendment of a bill, resolution or address agreed to in one House, and dissented to in the other, if either House shall request a conference and appoint a committee for that purpose, and the other shall also appoint a committee to confer, such committees shall at a convenient hour, to be agreed on by their chairmen, meet in the conference Chamber, and state to each other verbally, or in writing as either shall choose, the reasons of their respective Houses for and against the amendment, and confer freely thereon.

4. While bills are on their progress between the two Houses, they shall be under the signature of the Clerk of each House respectively.

5. After a bill shall have passed both Houses it shall be duly enrolled by the Clerk of the House of Representatives or of the Senate, as the bill may have originated in the one or the other House, before it shall be presented to the Governor.

6. When bills are enrolled they shall be examined by a joint committee of the two Houses, appointed as a standing committee for that purpose, who shall carefully compare the enrollment with the engrossed bills, as passed in the two Houses; and correcting any errors that may be discovered in the inrolled bills, make their

report forthwith to the respective Houses. After examination and report, each bill shall be signed in the respective Houses, first by the Speaker of the House of Representatives, then by the Speaker of the Senate. After a bill shall have been thus signed in each House, it shall be presented by the said committee to the Governor for his approbation, it being first endorsed on the back of it, certifying in which House the same originated; which endorsement shall be signed by the Clerk of the House in which the same did originate, and shall be entered on the Journals of each House. The said committee shall report the day of presentation to the Governor, which time shall also be carefully entered on the Journal of each House.

7. All orders, resolutions and votes, which are to be presented to the Governor for his approbation, shall also in the same manner be previously inrolled, examined and signed, and shall be presented in the same manner, and by the same committee, as provided in case of bills.

8. No new bill shall be transmitted from, or received by either House, within four days next preceeding the day fixed on for an adjournment.

Mr. Dorsey from the committee appointed for that purpose, on the eight instant, reported the bill, entitled "An act to enable Maria Rivardi to raise by way of lottery, the sum of twenty thousand dollars, for the purpose of enabling her to complete the establishment of her seminary of young ladies," which was read the first time.

Mr. Mayer from the committee to whom was referred, on the eleventh instant, the petition of the minister, &c. of the German Lutheran congregation in and near the borough of Lancaster, on leave then given, reported a bill, entitled "An act to raise by way of lottery a sum of money to defray the expenses incurred by the trustees of the German Lutheran congregation, in and near the borough of Lancaster," which was read the first time.

On motion, and by special order,

The resolution, directing an additional number of copies of the Journals of the General Assembly, to be printed as reported by select committee this day, was read the second time, considered and adopted.

Ordered, That it be presented to the House of Representatives for concurrence.

The resolution respecting the presentation of petitions, &c. by the people to the General Assembly, read on the tenth instant, was again read.

Whereupon, after debate,

A motion was made by Mr. Mitchell and Mr. Dorsey, to postpone the further consideration thereof for the present.

Which was agreed to.

Adjourned till 11 o'clock on Monday morning next.

*Monday, December 15, 1806.*

Mr. Dorsey from the committee to whom was referred, on the fifth instant, the petition of the president and directors of the United States insurance company, on leave now given, reported the bill, entitled "An act to incorporate the United States insurance company," which was read the first time.

Mr. Dorsey from the committee to whom was referred, on the twelfth instant, the ninth item of unfinished business, "The memorial respecting the insolvent laws," made report, as follows, to wit:

That the prayer of the petitioners cannot be granted.

The Clerk of the House of Representatives, presented an extract from the Journal of that House, which was read as follows, to wit:

*"In the House of Representatives,  
December 15, 1806.*

Resolved, That the Legislature will adjourn on Saturday the twentieth, to meet again on Monday the twenty-ninth of this month." And



He presented for concurrence, two bills, entitled respectively, to wit:

1. "A supplement to the act, entitled "An act to alter the judiciary system of this Commonwealth."

2. "An act to enable Peter W. Gallaudet of the state of Connecticut, to sell and convey one moiety of a certain plantation, messuage and lot of ground therein described," which were severally read the first time.

Moved by Mr. Sommer and Mr. Hart,

Whereas considerable embarrassment arises from the want of an index to the Journals of the Senate: Therefore,

Resolved, That the Clerk of the Senate prepare and furnish for the use of the Table of the Senate, three written copies of an Index to the Journal from the commencement of the present constitution, to and including the session of 1805—6; and that he prepare an Index to the Journal of the present session, and cause it to be printed and attached to the same.

Resolved further, That the committee of accounts enquire and report, what compensation will be necessary to allow the Clerk for the foregoing services.

Ordered to lie upon the table.

On motion, and by special order,

The resolution from the House of Representatives, relative to the adjournment, was again read.

Whereupon,

Resolved, That Senate concur therein, and

Ordered, That the Clerk acquaint the House of Representatives thereof.

On motion of Mr. Hart and Mr. Pennell,

Ordered, That Mr. Mitchell and Mr. Wayne be added to the committee appointed on the militia system.

Adjourned 'till 11 o'clock to-morrow morning.

*Tuesday, December 16, 1806.*

Mr. Dorsey presented the memorial of the subscribers thereto, residents of the city of Philadelphia;

stating, that they have entered into an association for the encouragement of American manufactures, and as the objects of their institution will be best attained by being incorporated, they pray for an act for that purpose; and the said memorial was twice read, and referred to Mr. Dorsey, Mr. Heston, Mr. Pennell, Mr. Sommer and Mr. Hart, to consider and report thereon.

The Speaker laid before the Senate, a letter signed Patterson Bell, soliciting the office of State-treasurer; which was read, and

Laid upon the table.

The Clerk of the House of Representatives presented for concurrence, the bill, entitled "An act to authorize and empower Hannah Smith, widow of Clifford Smith, deceased, to sell and convey a house and lot in Pottstown, in the county of Montgomery, and for other purposes therein mentioned," which was read the first time.

On motion of Mr. Mitchell and Mr. Dorsey,

The Senate adjourned (at 12 o'clock) till 11 o'clock to-morrow morning, in order to attend the meeting of the Members of the two Houses, in the Chamber of the House of Representatives, to proceed in the election of Senator of the United States, agreeably to the adjournment of the joint meeting on the ninth instant.

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### *Wednesday, December 17, 1806.*

The Speaker laid before the Senate, the report of the trustees of M'Kean county, on the subject of the situation most eligible for the seat of justice.

The trustees transmitted with their report the proposals of Paul Busti, on behalf of the Holland land company, and of John Keating, in his own name, and as attorney for Messrs. John Sigismund Roulet and Richard Germon.

Mr. Busti's proposals are as follow, to wit:

"I will lay off two hundred acres of land in either of the following tracts through which the road runs, that was opened by the Holland company, from the mouth of Bald Eagle creek, on the Susquehanna, to the State line, and thence continued through the Genessee lands in the State of New-York, to Cataraugus, on Lake Erie, viz. Tracts, No. 2313, 2312, 2603, 2602, 2669, 2375, 2470, and 2573. I will cause this two hundred acres to be allotted in town and out-lots, and will convey to the county\* third of the town and out-lots. Besides, I will grant one hundred acres near or adjoining the town for the support of a minister of the gospel, and one hundred acres for the support and encouragement of a school: or I will convey to the county five hundred acres of land, for the scite of the town; the county to be at the expence of allotting it into lots."

The following is an abstract of Mr. Keating's proposals, to wit:

"Two hundred and twenty-eight acres of land situated at the forks of Cononodaw creek, which empties into the Allegheny, to be laid off into town-lots; I offer for the use of the county, one half of the lots of said town, and one hundred and fifty acres of land near it for the support of a school-master, and the sum of five hundred dollars to build a suitable school-house, payable as soon as demanded by the person or persons whom the Legislature shall appoint."

"Mr. Richard, Teller on the part of the Senate, at the election of a Senator to represent this State in the Senate of the United States, made further report, as follows, to wit:

That the Members of the General Assembly met in the Chamber of the House of Representatives, yesterday, agreeably to adjournment, when objections being offered

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\* The quantity being in figures, the Trustees cannot ascertain whether it be two thirds or one third of the town and out-lots.

to proceed further at that time, the meeting was adjourned till the second Tuesday in January next."

The bill, entitled "A supplement to the act, entitled "An act to alter the judiciary system of this Commonwealth," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Hart in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill with amendments, which were read as reported.

The bill, entitled "An act to enable Peter W. Galaudet, of the State of Connecticut, to sell and convey one moiety of a certain plantation, messuage and lot of ground therein described," was read the second time, and referred to Mr. Pennell, Mr. Hart and Mr. Sommer, to consider and report thereon.

On motion of Mr. Sommer and Mr. Hart,

The following resolutions were read, and received as substitutes, for those laid on the table the 15th instant, by Mr. Sommer and Mr. Hart.

Whereas considerable embarrassment arises from the want of an Index to the Journals of the Senate: Therefore,

Resolved, That the Clerk of Senate prepare and furnish an Index to the Journals of the Senate, from the commencement of the present constitution to and including the session of 1805—6; and cause one hundred and fifty copies thereof to be printed, and held by him subject to the future order of Senate: And that he prepare an Index to the Journal of the present session, and cause it to be printed and attached to the same.

Resolved further, That the committee of accounts enquire and report what compensation will be necessary to allow the Clerk for the foregoing services.

Whereupon,

On motion and by special order, the said resolutions were again read, considered and adopted.

Adjourned 'till 11 o'clock to-morrow morning.

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*Thursday, December 18, 1806.*

The Speaker laid before the Senate, the representation and memorial of the select and common councils of the city of Philadelphia; stating, that they behold with apprehension the danger which exists from the vicinity of the powder magazine to the city: They therefore confidently hope, that provision will be made by law in the early part of the session for the removal of the same to some place more remote from the city; and the said memorial was read, and

Laid upon the table.

Mr. Brady from the committee appointed, on the fourth instant, to examine and report what laws will expire before the meeting of the next Legislature, made report, in part, as follows, to wit:

1. An act extending the act, entitled "An act for the relief of divers inhabitants of the county of Adams;" expires March first, 1807. See Vol. VII, page 31.

2. "An act extending an act, entitled "An act regulating and continuing the distribution of donation lands;" expires first April, 1807. Vol. VIII, page 412.

3. "An act extending the time heretofore allowed to Marcus Hulings, to erect a bridge over French creek;" expires the fifth of April, 1807. Vol. VII, page 118.

4. "An act to continue in force for a limited time, the first section of the act, entitled "An act for ascertaining the rights of this State to certain lands lying north and west of the rivers Ohio, Allegheny and Conewango creek;" first section continued in force till first day of April, 1807. See Vol. VIII, page 636: for original act, see Vol. VI, page 510.

Mr. Pennell from the committee, to whom was, yesterday, referred the bill, entitled "An act to enable Peter W. Gallaudet, of the State of Connecticut, to sell and convey one moiety of a certain plantation, messuage and lot of ground therein described," reported the bill without amendment.

The Clerk of the House of Representatives, presented three several extract from the Journal of that House, which were read as follow, to wit :

*"In the House of Representatives,*

*December 16, 1806.*

The House proceeded to the second reading of the report of the joint committee, relative to a system of rules for conducting business between the two Houses; and the said rules were severally read and adopted, with the following amendments, viz,

Rule 2, Between the words "the Door-keeper" introduce the words "Sergeant-at-arms, or"

Rule 6; Next after the word "indorsed" strike out the words "on the back of it"

*"In the House of Representatives,*

*December 17, 1806.*

Resolved, That a committee be appointed to join a committee of the Senate, should the Senate think proper to make such an appointment, for the purpose of examining into the state of the Pennsylvania and Philadelphia banks; and that the committee be instructed to prosecute the enquiry as far as the laws incorporating those banks will authorize: And

Ordered, That Messrs. Leib, Biddle and Boileau, be a committee for that purpose."

*"In the House of Representatives,*

*December 17, 1806.*

Resolved, That a committee be appointed, to unite with a committee of the Senate, if the Senate should appoint such committee, to examine into the nature of the bills of credit of this State, and the bills of credit of the several States which are now in the treasury, and make report to the respective Houses, for their consideration.

in what manner it may be expedient to dispose of the same. And

Ordered, That Messrs. Findlay, Welles and Ramsey, be a committee for that purpose."

And he presented for concurrence, "A resolution directing the Secretary of the Commonwealth to furnish such Members of the present Legislature (who have not heretofore been supplied) with a copy of Carey and Biorren's edition of the Laws; and also a copy of Hamilton's Report of the trial of the Judges of the supreme court," which was read the first time.

The bill, entitled "A supplement to the act, entitled "An act to alter the judiciary system of this Commonwealth," was read the second time, as reported by committee of the whole, yesterday, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act to establish a public ferry on the west side of the river Susquehanna, about eight miles above the mouth of Juniata river, in Cumberland county, and to vest the right thereof in Mary Clark, her heirs and assigns," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act to encourage the killing of panthers," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act to raise by way of lottery a sum of money to defray the expences incurred by the trustees of the German Lutheran congregation, in and near the borough of Lancaster," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Harris in the Chair) for the further consideration of the same; and

After some time spent therein,

The committee rose, and the Chairman reported the bill with one amendment, which was read as reported.

On motion of Mr. Hart and Mr. Pennell,

The following resolution was twice read, considered and adopted:

Resolved, That an order be drawn by the Speaker on the State-treasurer, in favor of John Burnside, printer of the Journal of the Senate, in the English language, for the sum of three hundred dollars, he to be accountable for the same.

Whereupon,

A warrant was accordingly so drawn.

On motion and by special order,

The resolution from the House of Representatives, on the subject of the examination into the state of the banks of Pennsylvania and Philadelphia, was again read;

And being under consideration,

A motion was made by Mr. Wayne and Mr. Miller, to amend the said resolution, by striking out the following: "and that the committee be instructed to prosecute the enquiry as far as the laws incorporating those banks will authorize"

The question on the motion, being put, was determined in the affirmative.

Whereupon,

The Yeas and Nays on agreeing to the resolution, as amended, were required by Mr. Hart and Mr. Dorsey, and, on the question being put, the Members voted as follow, to wit:

#### YEAS.

1. Mr. Dorsey,
2. Mr. Hart,
3. Mr. Heister,
4. Mr. Laird,
5. Mr. Martin,
6. Mr. M'Arthur,
7. Mr. Pennell,

#### YEAS.

8. Mr. Poe,
9. Mr. Spangler,
10. Mr. Vance,
11. Mr. Wayne,
12. Mr. Wertz,
13. Mr. Lane, *Speaker.*



## NAYS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Heston,
4. Mr. Lattimore,
5. Mr. Mayer,

## NAYS.

6. Mr. Mewhorter,
7. Mr. Miller,
8. Mr. Rahm,
9. Mr. Richards,
10. Mr. Sommer.

Thirteen Yeas and ten Nays, by which it appeared that the question was determined in the affirmative.

Ordered, That Mr. Dorsey, Mr. Harris and Mr. Pennell, be the committee on the part of the Senate, for the purpose expressed in the said resolution; and

Ordered, That the Clerk acquaint the House of Representatives that Senate have adopted the same with an amendment, in which the concurrence of that House is requested.

On motion, and by special order,

The resolution from the House of Representatives, relative to the appointment of a joint committee for the purpose "of examining into the nature of the bills of credit of this State, and also of several of the United States, which are now in the treasury, and report in what manner it may be expedient to dispose of the same," was again read, considered and adopted.

Whereupon,

Ordered, That Mr. Pennell, Mr. Richards and Mr. M'Arthur, be a committee for that purpose.

Adjourned 'till 11 o'clock, to-morrow morning.

*Friday, December 19, 1806.*

Mr. Dorsey presented the petition of the Marine and Fire insurance company, of Philadelphia, praying for an act of incorporation, which was read, and

Laid upon the table.

Mr. Dorsey also presented the representation of the medical professors of the University of Pennsylvania; stating, that under the patronage of the University the

medical school of Philadelphia has risen to a degree of prosperity, which has placed it upon a footing in point of numbers with some of the oldest medical schools in Europe. That the trustees have lately erected at a great expence, a large and commodious building, in which all the branches of medicine, except botany will be taught with convenience to the professors and students: For the purpose of teaching that important science, the professors humbly solicit the donation of a sum of money sufficient to purchase and inclose a few acres of land in the neighbourhood of Philadelphia, for the purpose of establishing a botanical garden; and the same was read, and

Laid upon the table.

Mr. Dorsey likewise presented the memorial of the medical professors of the University of Pennsylvania; stating, that many lives of the citizens of Pennsylvania are yearly lost, by their being committed to the care of men, not qualified by education or talents to practice medicine: That this calamity has been very much lessened in several of the other Sister-states by laws to prevent any one from exercising the profession of a physician or surgeon who is not a graduate in medicine in some university or college: They therefore pray, that the Legislature will pass a similar act; and the same was read, and

Laid upon the table.

The bill, entitled "A supplement to the act entitled "An act to alter the judiciary system of this Commonwealth," was read the third time. •

Whereupon,

A motion was made by Mr. Wayne and Mr. Hart, that the following be added to the title, "and to alter the time of holding the courts of common pleas and quarter sessions, and orphans court, in the county of Washington," which was unanimously agreed to, and the title as amended adopted.

Thereupon, it was

Moved by Mr. M'Arthur and Mr. Mewhorter, and

Agreed, That the said bill be referred to a select committee; and

Ordered, That Mr. McArthur, Mr. Wayne, Mr. Vance, Mr. Brady and Mr. Poe, be the committee for that purpose.

The Clerk of the House of Representatives presented for concurrence, three bills, entitled as follow, to wit :

1. " An act authorising the commissioners of Indiana county, to levy and collect taxes in the county of Jefferson."

2. " An act supplementary to an act, entitled " An act directing the sale of certain town-lots, in the town of Beaver, and other lands adjacent thereto."

3. " An act for the relief of John Hart."

He informed, that the House of Representatives have concurred the amendment by Senate, on the resolution relative to the inspection of the Pennsylvania and Philadelphia banks.

And he returned the resolution relative to the procuring of six hundred additional copies of the Journals of the General Assembly, and informed that the House of Representatives had passed the same without amendment.

The bills presented for concurrence, were severally read the first time.

The bill, entitled " An act to establish a public ferry on the west side of the river Susquehanna, about eight miles above the mouth of Juniata river, in Cumberland county, and to vest the right thereof in Mary Clark, her heirs and assigns," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled " An act to encourage the killing of panthers," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act to raise by way of lottery a sum of money, to defray the expences incurred by the trustees of the German Lutheran congregation, in and near the borough of Lancaster," was read the second time, as reported by committee of the whole, yesterday, and considered by section.

Section I, being under consideration.

A motion was made by Mr. Mayer and Mr. Hart, to postpone the further consideration of the section and bill for the present.

Which was agreed to.

The bill, entitled "An act to enable Peter W. Galaudet, of the State of Connecticut, to sell and convey one moiety of a certain plantation, messuage and lot of ground therein described," was read the second time, as reported by special committee yesterday.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Harris in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, the Chairman reported progress, and asked leave to sit again; which was granted.

Ordered, That the committee sit again on the first Tuesday in January next.

The bill, entitled "An act to enable Maria Rivardi, to raise by way of lottery the sum of twenty thousand dollars for the purpose of enabling her to complete the establishment of her seminary for the education of young ladies," was read the second time, and considered by section.

Section I, being under consideration; it was Moved by Mr. Wayne and Mr. Hart, and

Ordered, That Mr. Wayne, Mr. Dorsey and Mr. Mayer, be the committee for that purpose.

On motion of Mr. Hart and Mr. Pennell,

Resolved, That the Clerk be directed to pay William Greear, printer of the Bills of the Senate, one hundred dollars, out of the monies in his hands, the said William Greear to account for the same, in the settlement of his accounts.

Whereas the remains of THOMAS MIFFLIN, late Governor of this Commonwealth, are interred and are without a stone to mark the place of deposit: And whereas the Legislature thereof, did on the eighteenth day of January, 1800, resolve, "That the Governor be requested to cause to be erected a marble tablet or monument, with a suitable inscription, in commemoration of the patriotism and public services of the deceased," but no provision having been made at that time for the expence thereof; it is therefore, hereby,

Resolved, That the Governor be, and he is hereby authorized, to draw a warrant on the State-treasurer, for any sum not exceeding                  dollars, which shall be expended for the purposes expressed in the said resolution.

On motion of Mr. Mitchell and Mr. Poe.

The Senate adjourned till 9 o'clock, to-morrow morning.

*Saturday, December 20, 1806.*

The Speaker laid before the Senate, a letter from the Secretary of the Commonwealth, informing that he had transmitted to the House of Representatives, "sundry depositions, &c. concerning the conduct of Isaac Eyre, esquire, a justice of the peace, in Delaware county."

On leave given, Mr. Pennell read a bill in his place, and by permission of Senate he presented the same to the Chair, entitled "An act relating to the State-treasurer," which was read the first time.

Whereupon,

Agreeably to a joint resolution, of the fifteenth instant, Senate adjourned till Monday, the twenty-ninth instant, at three o'clock, P. M.

*Monday, December 29, 1806, P. M.*

Mr. Mitchell presented the petition of John Huton, a sergeant in the militia, under the late Captain, now General Mitchell; stating, that while in the actual service of his country he received a severe wound, which together with the infirmities of old age, renders him unable to procure a living in the usual way of his trade; he, therefore, prays the attention of the Legislature to his case; and the said petition was read, and

Laid upon the table.

Adjourned 'till 11 o'clock, to-morrow morning.

*Tuesday, December 30, 1806.*

Mr. M'Arthur presented the petition of the subscribers thereto, inhabitants of Sadsbury township, Crawford

county; stating, that they labour under great inconvenience in consequence of the division of the said township for election purposes; they, therefore, pray that it may be erected into one election district; and the said petition was read, and

Laid upon the table.

The Secretary of the Commonwealth presented a message from the Governor, together with the documents therein referred to; which were severally read, and

Laid upon the table.

The following are copies of the message, President's letter, and report of the commissioners, mentioned in said letter.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

AT the request of his Excellency Thomas Jefferson, esquire, President of the United States of America, I submit to your consideration his letter of the twenty-fourth instant, and its inclosures, for the purpose of obtaining from the Legislature of this State, an act to authorize the laying out and making a public road from Cumberland, in the State of Maryland, to the State of Ohio, which will run about eighty-one miles through Pennsylvania.

The route of the intended road has been partially reported to his Excellency by commissioners appointed by him, with an expectation that the same may be begun to be carried into execution early in the ensuing spring.

A copy of the President's letter, of the act of Congress, and the report of the commissioners, will be presented by the Secretary to each House.

As the road has been considered as a national benefit, the subject will merit your candid and speedy attention.

THOMAS M'KEAN.

*Lancaster, December 29, 1806.*

*Washington, December 24, 1806.*

SIR,

THE national Legislature by an act of their last session for laying out and making a road from Cumberland, in Maryland, to the State of Ohio, authorized the President to appoint commissioners for laying it out, in such direction as they should judge proper and he should approve; and the President, after obtaining the consent of the States through which it should be laid out, was authorized to take prompt and effectual measures to have it made. The commissioners have so far proceeded as after diligent and exact examination of the ground, to fix on certain points through the whole distance by which it shall pass. The intermediate tracings between these points cannot be executed until the spring, when the work of making the road may be begun, should the consent of the Legislatures be in the mean time obtained. Apprehensive, that that of your State may then be out of session, I have asked and received from the commissioners a partial report, fixing only the general points. This I take the liberty of inclosing to you, with a copy of the act of Congress, and ask the favor of you to lay the same before the Legislature of your State, with my request on behalf of the nation, that they will give the consent of their State for the establishment of the road along such of these points as are within the same; and along such intermediate tracings as the commissioners shall mark out with the consent of the President. Should they deem it expedient, so far to anticipate the proceedings in this business, it will prevent the loss of a year in its execution. I pray you to accept the assurance of my high consideration.

TH: JEFFERSON.

THE commissioners appointed under a law of the United States, entitled "An act to regulate the laying out and making a road from Cumberland, in the State of Maryland, to the State of Ohio," not being prepared at this time to make such report as the law requires,



and fearing that a delay might be attended with injurious consequences, have thought best to submit the enclosed statement to the President of the United States, for his information on that subject, and are respectfully,

JOSEPH KERR,  
THOMAS MOORE.

*City of Washington, Dec. 24, 1806.*

THOMAS JEFFERSON, P. U. S.

THE following is the statement of the distances between the several points which are to be embraced in the road from Cumberland, on the Potomac, to the river Ohio, near the point of Wheeling island:

Beginning at a stone marked No. 1. on the point above the junction of Wills creek with the north branch of Potomac, and in the town of Cumberland; thence through the gap of Gwynn's mountain, and passing Evan Gwynn's to the mouth of Winter's run, a branch of Braddock's run, by the meanders of the road, and surface measure

*Miles. Perches.*

6 240

From thence to Jesse Tomlinson's on a direct line; same measure

12 76

From thence to the Pennsylvania line, near the summit of the Negro mountain, and about a mile north of the present road; same measure

5 185

From thence to the Youghagany river near the mouth of Rodger's run

14 270

From thence to Brownsville

32 162

From thence to Bridgeport, crossing the Monongahala river below Josiah Crawford's ferry, and thence to the Ohio river, near the lower point of Wheelen island.

45 215

Making in all one hundred and seventeen miles and one hundred and eighty-eight perches; of which about twenty-four miles and one hundred and eighty-eight

perches, is through the State of Maryland; eighty-one miles, through the State of Pennsylvania; and twelve miles through the State of Virginia.

JOSEPH KERR,  
THOMAS MOORE.

*City of Washington, 24th Dec. 1806.*

On motion of Mr. Mitchell and Mr. Vance,

The said message, together with the documents were again read.

Whereupon,

Resolved, That they be referred to a committee, to consider and report thereon; and

Ordered, That Mr. Mitchell, Mr. Vance, Mr. Brady, Mr. Slaymaker and Mr. Sommer, be the committee for that purpose.

The petition of John Huton, read yesterday, was again read, and referred to Mr. Mitchell, Mr. Harris and Mr. Hart, to consider and report thereon.

The Clerk of the House of Representatives, presented for concurrence, the bill, entitled "An act to enable Nicholas Swope, administrator of Joseph Devoss, deceased, to convey a part of a tract of land to Jacob Hough, assignee of John Devoss," which was read the first time.

Adjourned 'till 11 o'clock to-morrow morning.

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*Wednesday, December 31, 1806.*

The Speaker laid before the Senate a letter from the Secretary of the Commonwealth, informing that he had transmitted to the House of Representatives, "sundry depositions, interrogatories and cross-examinations, taken in the case of Joseph Tanner, esquire, a justice of the peace of the county of Wayne;" and the same was read, and

Laid upon the table.

Mr. Richards presented the petition of Isaac Ely, of the borough of Reading, in the county of Berks; stating, that he enlisted in the Pennsylvania flying camp in August; one thousand seven hundred seventy-six, was taken prisoner in November following, at Fort Lee, and continued in confinement about two months; he conceives he was not fully compensated for his services, and therefore prays relief; and the said petition was read, and

Laid upon the table.

On motion of Mr. Wayne and Mr. Pennell,

Resolved, That the first order of the day of Tuesday next, to wit; The further consideration in committee of the whole of the bill, entitled "An act to enable Peter W. Gallaudet, of the State of Connecticut, to sell and convey one moiety of a certain plantation, messuage and lot of ground therein described," be discharged.

Whereupon,

On motion of Mr. Wayne and Mr. Pennell,

The Senate resumed in committee of the whole, (Mr. Harris in the Chair) the further consideration of the said bill; and

After some time spent therein,

The committee rose, and the Chairman reported the bill without amendment.

Thereupon,

On motion of Mr. Sommer and Mr. Wayne,

The said bill as reported by committee of the whole, was considered by section and agreed to,

Ordered, That it be prepared for the third reading.

The "representation of the medical professors of the University of Pennsylvania," and the "memorial of the medical professors of the University of Pennsylvania," read on the nineteenth instant, were again read, and referred to Mr. Dorsey, Mr. Sommer and Mr. Pennell, to consider and report thereon.

The report of the joint committee, on the subject of rules for conducting business between the two Houses,

read on the thirteenth instant, was again read and considered by paragraph.

The first rule being under consideration.

A motion was made by Mr. Sommer and Mr. Hart, to amend the same by striking therefrom the following "unless either House shall otherwise direct"

Which was agreed to, and the rule as amended, adopted.

The second, third and fourth rules, were severally agreed to.

The fifth rule being under consideration.

A motion was made by Mr. Dorsey and Mr. Pennell, to postpone the further consideration of the said rule, together with the report, for the present.

Which was agreed to.

The petition of the Marine and Fire insurance company of Philadelphia, read on the nineteenth instant, was again read, and referred to Mr. Dorsey, Mr. Brady, Mr. Sommer, Mr. Harris and Mr. Hart, to consider and report thereon.

The representation and memorial of the select and common councils of the city of Philadelphia, on the subject of the powder magazine, read the eighteenth instant, was again read, and referred to Mr. Dorsey, Mr. Mitchell and Mr. Martin, to consider and report thereon.

Adjourned 'till 11 o'clock to-morrow morning.

*Thursday, January 1, 1807.*

Mr. Mitchell from the committee appointed for that purpose, on the 30th ultimo, made report as follows, to wit:

The committee to whom was referred the Governor's late communication, accompanied by a letter from the President of the United States, with other documents, requesting liberty, by law, to open and make an artificial road through that part of the State of Pennsylvania, ly-

ing between Cumberland, in the State of Maryland, and Wheelen on the Ohio river, in the State of Virginia: Report,

That whereas it appears to your committee great advantages may arise to some of the citizens of this State, as also to our Sister-States, on the western waters, to have the contemplated road opened and compleated, are of opinion it would be improper in the State of Pennsylvania to withhold her consent to a measure of such great national utility: Therefore offer the following resolution:

Resolved, That a committee be appointed to bring in a bill, authorizing the President of the United States, to open and make a road through that part of the State of Pennsylvania, lying between Cumberland, in the State of Maryland, and Wheelen on the Ohio river, in the State of Virginia, agreeably to an act of Congress, entitled "An act to regulate the laying out and making a road from Cumberland, in the State of Maryland, to the State of Ohio," passed March twenty-ninth, 1806.

The Speaker laid before the Senate, the report of the Register-General, of the unfunded debt certificates issued since his last report; also a statement of the expenditure of the additional appropriations for clerk-hire granted to that office, by the acts of fourth of April, 1805, and thirty-first of March last: And likewise an account of the contingent expences of the office of Register-General for one year, ending the 31st December, 1806.

It appears from the statement of the expenditure of the additional appropriations for clerk-hire,

That of the extra appropriation under the first act, there remained an unexpended balance on the first January, 1806

§ 467 27

Which was to compensate clerks from thence till the first of April following, and of which there was paid to

John M. Hall § 183 33

R. M. Crane 183 33

Leaving a balance unexpended of 90 61

467 27

That the extra appropriation under the last mentioned act

\$ 600

With the permanent allowance of

866 66

Makes

1466 66

Out of which has been paid the following sums.

To John M. Hall (now deceased) \$ 366 66

R. M. Crane 366 66

George Weaver 155 56

Leaving a balance which is to compensate clerks from this day till first of April next

387 78

1466 66

The bill, entitled "An act to enable Peter W. Gal-  
laudet, of the State of Connecticut, to sell and convey  
one moiety of a certain plantation, messuage and lot of  
ground therein described," was read the third time.

Whereupon;

The Yeas and Nays on the question, "*Shall this bill  
pass?*" were required by Mr. Mitchell and Mr. Vance,  
and, on the question being put, the Members voted as  
follow, to wit:

YEAS.

1. Mr. Brady,
2. Mr. Dorsey,
3. Mr. Harris,
4. Mr. Martini,
5. Mr. M'Arthur,
6. Mr. Mewhorter,

NAYS.

1. Mr. Hart,
2. Mr. Heister,
3. Mr. Heston,
4. Mr. Laird,
5. Mr. Lattimore,
6. Mr. Mayer,

YEAS.

7. Mr. Rahm,
8. Mr. Richards,
9. Mr. Slaymaker,
10. Mr. Sommer,
11. Mr. Wayne,
12. Mr. Wertz.

NAYS.

7. Mr. Mitchell,
8. Mr. Pennell,
9. Mr. Spangler,
10. Mr. Vance,
11. Mr. Lane, *Speaker.*

Twelve Yeas and eleven Nays, by which it appeared  
that the question was determined in the affirmative.

Ordered, That the said bill be returned to the House of Representatives, with information that Senate have passed the same without amendment.

The bill, entitled, "A supplement to an act, entitled "An act to enable the Governor of this Commonwealth, to incorporate a company for opening a canal and lock navigation between the rivers Schuylkill and Susquehanna, by the waters of Tulpehocken, Quittapahilla and Swatara, in the counties of Berks and Dauphin," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Brady in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill with amendments, which were read as reported.

The bill, entitled "An act supplementary to an act, entitled "An act directing the sale of certain town-lots in the town of Beaver, and other lands adjacent thereto," was read the second time, considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

Adjourned 'till 11 o'clock to-morrow morning.

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*Friday, January 2, 1807.*

Mr. Wayne from the committee to whom was referred, on the nineteenth ultimo, the bill, entitled "An act to enable Maria Rivardi, to raise by way of lottery the sum of twenty thousand dollars, for the purpose of enabling her to complete the establishment of her seminary for the education of young ladies," reported the said bill with one amendment, which was read as reported.

Mr. Dorsey from the joint committee appointed to enquire into the state of the Pennsylvania and Philadelphia banks; made the following report :

That a careful and minute examination into the state of those institutions, has given the committee an opportunity of exhibiting a flattering account of them. The committee did not content themselves with a superficial enquiry into the state of the banks, but they felt it a duty to prosecute the examination to the whole extent authorized by law; that the improvement as well as safety of the funds of the Commonwealth might be ascertained with precision. The directors of those institutions appeared anxious to satisfy the enquiries of the committee, and to elucidate every subject of investigation and their earnestness and readiness to communicate all the information required, corroborated the result of the examination. It is with peculiar gratification, therefore, the committee are enabled to say, that the Pennsylvania and Philadelphia Banks are in a prosperous state, and that the funds of the Commonwealth vested in those institutions are in a flattering progress of improvement.

Mr. Pennell from the committee appointed for that purpose, on the eighteenth ultimo, made the following report, to wit:

The committee in conjunction with a committee from the House of Representatives, appointed to examine into the nature of the Bills of Credit of this State and those of other States, and make report; beg leave to present the following statement of facts.

That they with the committee from the House of Representatives, repaired to the office of the Treasurer, and after faithfully examining the several Bills of Credit therein deposited, (the property of the State) there appeared in said Bills emitted by the several States hereafter mentioned, the following sums, viz.

Maryland, between the years 1776 and 1777

	\$ 22,338	2
Delaware—Resolve money	-	129 65
Jersey—Money emitted in, and since the	}	219 97
year 1781		

*Carried forward*

22,686 64



	<i>Dolls. Cts.</i>
<i>Brought forward</i>	22,666 64
One bill emitted by this State in the year 1780, formerly reported as Massachusetts money	20
A number of small bills emitted by Maryland, Delaware, Jersey and Pennsylvania, and came in during the war	43 19
Pennsylvania emission of the year 1785, received, as specie, since the sixth of February, 1805, as per report of the Treasurer, thirtieth November, 1805	2 80
<b>Sum total</b>	<b>\$ 22,732 63</b>

Your committee would further remark; that it also appeared on inquiry, that the Treasurer of this Commonwealth, through the medium of letters, had solicited payment for those of said bills emitted by the States of Maryland, New-Jersey and Delaware, from their respective State-treasurers, and that he received for answer, that the several laws of their respective States which provided for their redemption had long since expired, and no assurances or encouragement could be given that they would ever be revived.

Under these circumstances, the committee conceive little or no hope can be entertained of those bills realizing any thing to the State, or that any good reason exists to hold them up longer as a State credit without any prospect of redemption. The committee, therefore, submit to the consideration of the Senate, the following resolution, viz.

Resolved, That a committee be appointed to join a committee of the House of Representatives, if the House of Representatives shall appoint such committee, to burn said bills of credit.

The Clerk of the House of Representatives returned the bill, entitled "An act to encourage the killing of panthers," and informed that the House of Representa-

tives had passed the said bill with amendments, to which the concurrence of the Senate is requested.

The amendments were read, and are as follow, to wit:

Line 4, make "twelve" read "eight"

Line 6, make "puppy" read "whelp"

Add to the end of the section the following words, "on proof of the fact according to the directions of said act"

Whereupon,

On motion of Mr. Harris and Mr. Brady,

The said amendments were again read, considered and concurred.

Ordered, That the Clerk acquaint the House of Representatives thereof.

The bill, entitled "An act supplementary to an act, entitled "An act directing the sale of certain town-lots in the town of Beaver, and other lands adjacent thereto," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives with information that Senate have passed the same without amendment.

The bill, entitled "A supplement to an act, entitled "An act to enable the Governor of this Commonwealth, to incorporate a company for opening a canal and lock navigation between the rivers Schuylkill and Susquehanna, by the waters of Tulpehocken, Quittapahilla and Swatara, in the counties of Berks and Dauphin," was read the second time, as reported by committee of the whole, yesterday and considered by section.

Sections, I, II, III, IV and V, were severally agreed to.

Section VI, being under consideration,

The question on agreeing thereto, being put, was determined in the negative.

Section VII, in the printed bill, now become section VI, was agreed to.

Section VII, (agreeably to the foregoing alteration) being under consideration.

A motion was made by Mr. Mitchell and Mr. Harris, to postpone the further consideration of the section, and remainder of the bill for the present.

Which was agreed to.

The bill, entitled "An act to authorize and empower Hannab Smith, widow of Clifford Smith, deceased, to sell and convey a house and lot in Pottstown, in the county of Montgomery, and for other purposes therein mentioned," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, the Chairman reported progress, and asked leave to sit again; which was granted.

Ordered, That the committee shall sit again on Monday next.

The bill, entitled "An act authorizing the commissioners of Indiana county, to levy and collect county taxes, in the county of Jefferson," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Harris in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill with one amendment, which was read as reported.

The petition of Isaac Ely, read on the thirty-first ultimo, was again read, and referred to Mr. Richards, Mr. Heister, and Mr. Rahm, to consider and report thereon.

The resolution granting a sum of money for the erection of a monument over the grave of the late Ma-

for General Mifflin; read on the nineteenth ultimo, was again read.

And being under consideration.

A motion was made by Mr. Dorsey and Mr. Heister, to appropriate three hundred dollars for that purpose.

Which was agreed to, and the resolution adopted.

Ordered, That it be presented to the House of Representatives for concurrence.

The report of the committee on the subject of the letter from the President of the United States, read yesterday, was again read, considered and adopted.

Ordered, That the committee who brought in the report, be the committee to bring in a bill agreeably thereto.

Adjourned till 11 o'clock to-morrow morning.

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## *Saturday, January 3, 1807.*

The Clerk of the House of Representatives, presented for signature, two bills and a resolution, entitled as follow, to wit :

1. "An act to enable Peter W. Gallaudet, of the State of Connecticut, to sell and convey one moiety of a certain plantation, messuage and lot of ground therein described."

2. "An act supplementary to an act, entitled "An act directing the sale of certain town-lots in the town of Beaver, and other lands adjacent thereto."

"Resolution for procuring six hundred additional copies of the Journals of the General Assembly."

Whereupon,

The Speaker signed the said bills and resolution.

Mr Arthur presented the petition of the subscribers thereto, inhabitants of Shenango and Fallowfield townships, Crawford county; stating, that they labour under considerable inconveniencies, by reason of the house where their elections were held, having been destroyed by fire; they therefore pray, that the house of James

Hart, in Shenango township, may be fixed upon for holding their elections in future; and the same was read, and

Laid upon the table.

Mr. Mitchell, from the committee to whom was referred, on the thirtieth ultimo, the petition of John Huton, made the following report:

That they have considered the petition and certificate attached thereto, and are of opinion that the said John Huton, was wounded as set forth in the petition; and therefore ought to be supported at the public expence: Therefore

Resolved, That a committee be appointed to bring in a bill, allowing the said John Huton, half-pay during his natural life.

Mr. Richards, from the committee to whom was referred, on the second instant, the petition of Isaac Ely, on leave now given, reported the bill, entitled "An act for the relief of Isaac Ely," which was read the first time.

Mr. M<sup>r</sup>Arthur from the committee to whom was referred, on the nineteenth ultimo, the bill, entitled "A supplement to the act, entitled "An act to alter the judiciary system of this Commonwealth," reported the same without amendment.

The bill, entitled "An act authorizing the commissioners of Indiana county, to levy and collect county taxes in the county of Jefferson," was read the second time, as reported by committee of the whole, yesterday, considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

The "Resolution for a further distribution of Carey and Bioren's edition of the Laws," and "Hamilton's Trial of the Judges," was read the second time.

And being under consideration,

A motion was made by Mr. Wayne and Mr. Poe, to amend the same, by adding to the end thereof, the following:

"Provided the Secretary of the Commonwealth has distributed so many of the copies of the Trial of the

Judges of the Supreme Court, as he was authorized to procure under the resolution of the thirty-first of March, 1806: that a competent number is not now remaining in his office to supply the persons embraced in the present resolution; that the Secretary of the Commonwealth shall then, and he is hereby authorized to procure as many copies of said Trial as may make up such deficiency; and also that he be directed to furnish four copies for the Table of Senate; provided the same shall not exceed two dollars fifty cents for each copy, well bound and lettered."

Whereupon,

A motion was made by Mr. Sommer and Mr. Hart, to postpone the consideration of the said amendment for the present.

Which was agreed to.

Thereupon,

Mr. Sommer called for a division of the original resolution, to end with the provision for furnishing the Members with Carey and Bioren's edition.

Thereupon,

The question on agreeing to the first section of the resolution, being put, was determined in the affirmative.

The amendment offered by Mr. Wayne, recurring, was adopted.

The question on agreeing to the latter section of the resolution, as amended, being put, was determined in the affirmative; and so the said resolution having been adopted;

Ordered, That it be returned to the House of Representatives, with information that Senate have adopted the same with an amendment, in which the concurrence of that House is requested.

The bill, entitled "An act to enable Maria Rivardi, to raise by way of lottery the sum of twenty thousand dollars, for the purpose of enabling her to complete the establishment of her seminary for the education of young ladies," was read the second time, as reported by special committee, yesterday, and considered by section.

Section I, being under consideration.

The question, on agreeing thereto, being put, was determined in the negative; and so the bill was lost.

On motion of Mr. Sommer and Mr. Richards,

Resolved, That the bill, entitled "A supplement to an act, entitled "An act to enable the Governor of this Commonwealth, to incorporate a company for opening a canal and lock navigation between the rivers Schuylkill and Susquehanna, by the waters of Tulpehocken, Quittapahilla and Swatara, in the counties of Berks and Dauphin," be re-committed to a special committee; and

Ordered, That Mr. Sommer, Mr. Wayne and Mr. Heister, be the committee for that purpose.

On motion of Mr. Wayne and Mr. Heister,

The Senate re-considered the vote on the adoption of the "Resolution authorizing the Governor to draw a warrant, to defray the expences of erecting a monument to Thomas Mifflin, late Governor of Pennsylvania."

Whereupon,

Resolved, That the said resolution be recommitted to a special committee, to consider and report thereon; and

Ordered; That Mr. Wayne, Mr. Dorsey and Mr. Brady, be the committee for that purpose.

Moved by Mr. Laird and Mr. Poe,

Resolved, That a committee be appointed to consider and report on the expediency of enacting a law, regulating the proceedings of justices of the peace of this Commonwealth, when acting on the dockets or certified transcripts from the dockets of other justices of the peace, who have ceased to act.

Ordered to lie upon the table.

Adjourned 'till 11 o'clock, on Monday morning.

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*Monday* January 5, 1807.

Mr. Wayne from the committee to whom was re-committed, on the second instant, "The resolution author-

izing the Governor to draw a warrant, to defray the expences of erecting a monument, to the memory of the late Thomas Mifflin," reported the said resolution with an amendment, viz.

Strike out from the word "Resolved," to the end of the resolution, (so as to retain the preamble only) and insert in lieu thereof.

"That a committee be appointed to bring in a bill, in lieu of the said resolution, for the purpose of appropriating a sum of money for the erection of a monument, to the memory of the late Major General Mifflin; agreeably to the resolution of the General Assembly, passed January eighteenth, 1800."

The Speaker laid before the Senate, a letter signed H. Grimler, soliciting the Legislature, to cause the report of the finances to be printed in the German language, which until a few years past, had been usual, and submitting this his application for printing the same; and the said letter was read, and

Laid upon the table.

The Speaker laid before the Senate, a letter from John M'Kissick, Receiver-general, accompanied with a report of the contingent expences of that office; which was read, and

Laid upon the table.

The bill, entitled "An act authorizing the commissioners of Indiana county, to levy and collect county taxes in the county of Jefferson," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives with information that Senate have passed the said bill with one amendment, in which the concurrence of that House is requested.

(For the amendment see the Journal of Saturday.)

The bill, entitled "An act relating to the State-trea-



surer," was read the second time, and considered by section.

Section I, being under consideration,

A motion was made by Mr. M'Arthur and Mr. Sommer, to postpone the further consideration of the section and bill, for the present.

Which was agreed to.

The Clerk of the House of Representatives presented for concurrence, the bill, entitled "An act for the relief of James Oglevia," which was read the first time.

The bill, entitled "An act to incorporate the United States Insurance company," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Harris in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill without amendment.

The bill, entitled "An act to enable Nicholas Swope, administrator of Joseph Devoss, deceased, to convey a part of a tract of land to Jacob Hough, assignee of John Devoss," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill without amendment.

Adjourned 'till 11 o'clock, to-morrow morning.

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*Tuesday, January 6, 1807.*

The Speaker laid before the Senate a letter from Isaac Weaver, junior, State-treasurer, (enclosing a detailed statement of the contingent expences of that office, for

the year ending the thirty-first of December, 1806); which was read, and

Laid upon the table.

Mr. Sommer from the committee to whom was re-committed, on the third instant, the bill, entitled "A supplement to an act, entitled "An act to enable the Governor of this Commonwealth, to incorporate a company for opening a canal and lock navigation between the rivers Schuylkill and Susquehanna, by the waters of Tulpehocken, Quittapahilla and Swatara, in the counties of Berks and Dauphin," reported the said bill with amendments, which were read as reported.

Mr. Vance from the committee appointed for that purpose, on the eleventh ultimo, made the following report, viz.

The committee appointed to make enquiry "whether the resolution of the second of April, 1804, directing that no law shall be published in the newspapers at the public expence, except such as are of a public or general nature," has been duly executed, and whether any, and if any, what amendments are necessary to the same: Report,

That from the general nature of the said resolution, it is difficult, in many instances, to determine the line of discrimination, between what may be deemed a public, and what a private law; in consequence, opinions may be variant, and although the object of the resolution may have been exceeded, the motive of the officer causing the publication may have been proper, least by too close a limitation necessary information might be suppressed. Your committee do not perceive that it is the peculiar or required duty of any officer of the government, to carry the said resolution into effect, and that in consequence much responsibility attaches to whomsoever shall undertake the same: They therefore offer the following resolution:

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That it shall be the duty of the joint committee*

of both Houses who are or hereafter may be appointed, to compare transcribed bills, to determine what laws shall be deemed "*of a public or general nature*," and to signify the same in writing at the end of every such law, and of every resolution of the same nature: and also to particularize in writing upon said laws or resolutions, the public papers wherein the same shall be inserted; and it shall be, and is hereby made the duty of the Secretary of the Commonwealth, to cause to be published at the public expence, the laws and resolutions so designated, and in the papers so particularized, and no other law or resolution: And that the resolution, passed the said second of April, 1804; be, and the same is hereby repealed.

The bill, entitled "An act to incorporate the United States insurance company," was read the second time, as reported by committee of the whole, and considered by section.

Sections I, and II, were severally agreed to.

Section III, being under consideration.

A motion was made by Mr. Hart and Mr. McArthur, to amend the section, by changing the time of paying the first instalment, from first Monday in January, to first Monday in February.

Which was agreed to, and the section as amended adopted.

The remaining sections, with the preamble and title, being agreed to.

Ordered, That the said bill be prepared for the third reading.

The bill, entitled "An act to enable Nicholas Swope, administrator of Joseph Devoss, deceased, to convey a part of a tract of land to Jacob Hough, assignee of John Devoss," was read the second time, as reported by committee of the whole, yesterday, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The Clerk of the House of Representatives, informed the Senate, that that House have concurred in the amend-

ments by the Senate, on the bill, entitled "An act authorizing the commissioners of Indiana county, to levy and collect county taxes in the county of Jefferson."

And, also, that they have concurred in the amendments by Senate, to the "Resolution for the further distribution of Carey and Bioren's edition of the laws, and of Hamilton's trial of the Judges," with an amendment thereto, in which the concurrence of Senate is requested; which amendment is as follows, viz.

Between the words, "*Senate Provided*," introduce the words, "*and four copies for the Table of the House of Representatives.*"

The bill, entitled "An act for the relief of John Hart," was read the second time, considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act to organize the provisional county of Cambria," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Dorsey in the Chair) for the further consideration thereof, and

After some time spent therein,

The committee rose, and the Chairman reported the bill with amendments, which were read as reported.

The report of the committee on the application of John Huton, read the third instant, was again read, and the resolution contained therein adopted.

Thereupon,

Ordered, That the committee who brought in the report, be the committee for the purpose of bringing in a bill agreeably thereto.

The letter signed H. Grimler, read yesterday, was again read, and referred to Mr. Wertz, Mr. Heister and Mr. Mayer, to consider and report thereon.

The bill, entitled "A supplement to the act, entitled "An act to alter the judiciary system of this Commonwealth," was read the second time, as reported on

the third instant, by a special committee, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The report of the committee on the subject of the Paper-money in the Treasury, read on the second instant, was again read, considered and adopted.

Ordered, That the committee who brought in the report be a committee to join a committee of the House of Representatives, for the purpose expressed in the resolution.

On motion of Mr. Hart and Mr. Wayne,

Resolved, That for the future Senate will meet at ten o'clock in the morning of each day.

Mr. Vance from the committee appointed for that purpose, reported, that the committee in conjunction with the committee of the House of Representatives, have this day, presented to the Governor for his approbation, the bills entitled, to wit:

1. "An act to enable Peter W. Gallaudet, of the State of Connecticut, to sell and convey one moiety of a certain plantation, messuage and lot of ground therein described."

2. "An act supplementary to an act, entitled "An act directing the sale of certain town-lots in the town of Beaver, and other lands adjacent thereto."

And "A resolution authorizing the printing an additional number of copies of the Journals of the General Assembly."

Adjourned till 10 o'clock to-morrow morning.

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*Wednesday, January 7, 1807.*

Mr. Brady from the committee appointed, on the seventh item of the report on the Governor's address, and to whom was referred, on the twelfth ultimo, the third item of the report of unfinished business, to wit: The bill, entitled "An act for the establishment of schools

throughout this Commonwealth," reported the said bill without amendment, which was read the first time.

The bill, entitled "An act to incorporate the United States insurance company," was read the third time.

Whereupon,

The Yeas and Nays on the question, "*Shall this bill pass?*" were required by Mr. Vance and Mr. Laird, and on the question, being put, the Members voted as follow, to wit:

#### YEAS.

1. Mr. Brady,
2. Mr. Dorsey,
3. Mr. Harris,
4. Mr. Heister,
5. Mr. Heston,
6. Mr. Lattimore,
7. Mr. Mewhorter,
8. Mr. Miller,
9. Mr. Mitchell,

#### NAYS.

1. Mr. Hart,
2. Mr. Laird,
3. Mr. Martin,
4. Mr. Mayer,

#### YEAS.

10. Mr. Pennell,
11. Mr. Poc,
12. Mr. Rahm,
13. Mr. Richards,
14. Mr. Slaymaker,
15. Mr. Sommer,
16. Mr. Wayne,
17. Mr. Wertz,
18. Mr. Lane, *Speaker.*

#### NAYS.

5. Mr. M'Arthur,
6. Mr. Spangler,
7. Mr. Vance.

Eighteen Yeas and seven Nays, by which it appeared that the question was determined in the affirmative.

Ordered, That the said bill be presented to the House of Representatives for concurrence.

The bill, entitled "An act to enable Nicholas Swope, administrator of Joseph Devoss, deceased, to convey a part of a tract of land to Jacob Hough, assignee of John Devoss," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act for the relief of John Hart," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "A supplement to the act, entitled "An act to alter the judiciary system of this Commonwealth," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence of that House is requested.

Which amendments are as follow, to wit:

Section I, line 6, after the word "*abated*" insert "*or hereafter may abate,*"

Section IV, line 2, before the word "*circuit*" insert "*supreme or*" and make "*court*" read "*courts.*"

Line 7, make similar amendments.

Add to the end of the title the following, viz.

*"And to alter the time of holding the courts of common pleas and quarter sessions, and orphans' court in the county of Washington."*

The bill, entitled "An act to organize the provisional county of Cambria," was read the second time, as reported by committee of the whole, yesterday, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

On motion of Mr. Mitchell and Mr. Hart,

The Senate re-considered their vote, on the question on adopting the resolution attached to the report on the subject of paper-money, in the Treasury, (decided yesterday) and the said report and resolution being again under consideration.

A motion was made by Mr. Mitchell and Mr. Laird, to postpone the same for the present.

Which was agreed to.

The bill, entitled "An act for the relief of James Oglevia," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and the Chairman reported the bill with amendments, which were read as reported.

Thereupon,

On motion of Mr. Mitchell and Mr. Vance, and by special order, the said bill was read the second time as reported by committee of the whole, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The resolution respecting justices of the peace, read on the third instant, was again read, considered and adopted, to wit:

Resolved, That a committee be appointed to consider and report on the expediency of enacting a law, regulating the proceedings of justices of the peace of this Commonwealth, when acting on the dockets or certified transcripts from the dockets of other justices of the peace, who have ceased to act.

Ordered, That Mr. Laird, Mr. Brady and Mr. Wayne, be the committee for that purpose.

The report of the committee to whom was re-committed, on the third instant, the resolution authorizing the Governor to draw a warrant to defray the expences of erecting a monument to the memory of the late Thomas Mifflin, read on the fifth instant, was again read and adopted.

Ordered, That the committee who brought in the report, be the committee to bring in a bill agreeably thereto.



The Clerk of the House of Representatives, presented for signature, two bills, entitled respectively, to wit :

1. "An act to encourage the killing of panthers."
2. "An act authorizing the commissioners of Indiana county, to levy and collect county taxes in the county of Jefferson."

And he presented for concurrence, two bills, entitled as follow, to wit;

1. "An act declaring the middle of the river Monongahela the division line between the counties adjoining the same."

2. "An act to enable the administrators of the estate of James Carmichael, deceased, to complete the title to certain lands sold by their intestate, by certain articles of agreement," which were severally read the first time.

The Speaker signed the bills presented for signature.

The amendment by the House of Representatives, to the amendments of Senate, on the "resolution for the further distribution of Carey and Bioren's edition of the the Laws, and Hamilton's report of the Trial of the Judges," was again read considered and adopted.

Ordered, That the Clerk acquaint the House of Representatives thereof.

Adjourned till 10 o'clock to-morrow morning.

*Thursday, January 8, 1807.*

Mr. Miller from the committee to whom was referred on the 12th ultimo, the fourth and twelfth items of the report of unfinished business, to wit :

"An act to raise by way of lottery, a sum not exceeding 2500 dollars, for finishing a church in the town of Hanover, in the county of York," and the "petition of the Roman Catholics of Elizabethtown, Lancaster county, for a lottery," made report, in part, to wit: The said bill without amendment, which was read the first time.

Mr. Wayne from the committee appointed for that purpose, yesterday, reported the bill, entitled "An act making appropriation for the erection of a monument to the memory of the late Major General Mislin," which was read the first time.

The bill, entitled "An act for the relief of James Oglevia," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence, of that House is requested; which amendments are as follow, to wit:

Section I, line 6, Strike out all that follows the word "act" to the end of the section, and insert the following in lieu thereof:

"On a warrant drawn by the Governor on the State-treasurer, and that an annuity of forty dollars be granted for the use of James Oglevia, to be paid to Nathaniel B. Boileau, his executor or executors, or his or their lawful attorney, to commence from the first day of January, A. D. 1807, and paid half-yearly to the said Nathaniel B. Boileau, or his executor or executors, or his or their lawful attorney, on warrants to be drawn by the Governor on the State-treasurer, which annuity shall be expended by the said Nathaniel B. Boileau, his executor or executors, in providing cloathing and diet for the said James Oglevia, and it shall and hereby is made the duty of the said Nathaniel B. Boileau, his executor or executors, to make an annual return to the orphans' court of Montgomery county, on oath or affirmation, how and in what manner he or they have executed the trust in him or them, confided by this act."

The bill, entitled: "An act to organize the provincial county of Cambria," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act to enable the administrators of the estate of James Carmichael, deceased, to complete the title to certain lands sold by their intestate by certain articles of agreement," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Hart in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill without amendment.

The Clerk of the House of Representatives informed the Senate, that that House have concurred in the amendments by Senate, on the bill, entitled "A supplement to the act, entitled "An act to alter the judiciary system of this Commonwealth."

And he presented for signature, two bills, entitled respectively, to wit:

1. "An act to enable Nicholas Swope, administrator of Joseph Devoss, deceased, to convey a part of a tract of land to Jacob Hough, assignee of John Devoss."
2. "An act for the relief of John Hart."

Whereupon,

The Speaker signed the said bills.

Adjourned 'till 10 o'clock, to-morrow morning.

*Friday, January 9, 1807.*

Mr. Vance from the committee appointed for that purpose: Reported,

That the committee, in conjunction with the committee from the House of Representatives, yesterday, presented to the Governor for his approbation, the bills entitled as follow, to wit:

1. "An act to encourage the killing of panthers,"

2. "An act authorizing the commissioners of Indiana county, to levy and collect county taxes, in the county of Jefferson."

3. "An act to enable Nicholas Swope, administrator of Joseph Devoss, deceased, to convey a part of a tract of land to Jacob Hough, assignee of John Devoss."

4. "An act for the relief of John Hart."

Mr. Miller from the committee to whom was referred, on the twelfth ultimo, the fourth and twelfth items of the report of unfinished business, to wit: The bill, entitled "An act to raise by way of lottery a sum not exceeding two thousand five hundred dollars for finishing a church in the town of Hanover, in the county of York," and a "petition from the Roman Catholics of Elizabethtown," praying for a lottery, made further report, as follows, to wit:

That the committee have taken the same into consideration, and submit the following resolution, viz.

Resolved, That a committee be appointed to bring in a bill conformable to the prayer of the petitioners.

Mr. Harris from the committee to whom was referred, on the twelfth ultimo, the fifth item of the report of unfinished business, to wit: The bill, entitled "An act authorizing the Governor to incorporate a company for making an artificial road from Harrisburg, through Lewistown and Huntingdon, to Pittsburg," reported the said bill with one amendment, which was read as reported.

The bill, entitled "An act to enable the administrators of the estate of James Carmichael, deceased, to complete the title to certain lands sold by their intestate by certain articles of agreement," was read the second time, as reported by committee of the whole, yesterday, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The Senate resumed the consideration of the report of the joint committee, on the rules of doing business between the two Houses, postponed for the present on the thirty-first ultimo.

Whereupon,

The consideration of the fifth rule recurring.

A motion was made by Mr. Dorsey and Mr. Mitchell, to amend the same, by striking out the word "enrolled" and insert in place thereof "engrossed"

Which was agreed to, and the rule as amended adopted.

The sixth rule being under consideration.

A motion was made by Mr. Dorsey and Mr. Harris, to amend the same, by striking therefrom the first sentence, and insert in place thereof, the following :

"Sixth, When a bill shall have passed the two Houses, it shall be examined by a joint committee thereof; appointed as standing for that purpose, who shall correct all errors which may be discovered, and forthwith make report thereof to their respective Houses."

Which was agreed to.

The latter part of the said rule was adopted, as amended by the House of Representatives.

Thereupon,

The question on agreeing to the sixth rule, as amended, being put, was determined in the affirmative.

The seventh rule being under consideration.

A motion was made by Mr. Dorsey and Mr. M'Arthur, to amend the same, by striking out "enrolled" and insert in place thereof, "engrossed"

Which was agreed to, and the rule as amended was adopted.

The eight rule being under consideration.

A motion was made by Mr. Hart and Mr. Pennell, to amend the same, by inserting next after the word "bill" the words "or resolution"

Which was agreed to, and the rule as amended was adopted.

Moved by Mr. Vance and Mr. Dorsey,

That Senate reconsider their vote on adopting the first rule, for the purpose of restoring the words stricken from the last line thereof.

The question on the motion, being put, was determined in the negative.

Thereupon,

Ordered, That the Clerk acquaint the House of Representatives, that Senate have adopted said rules with the amendments proposed by that House, together with others made therein by the Senate, in which the concurrence of the House of Representatives it requested.

On motion of Mr. Hart and Mr. Pennell,

Resolved, That a Member of the Senate be appointed teller, to officiate at the election of State-treasurer, to be held on Tuesday next, and that a minute thereof be transmitted to the House of Representatives.

Ordered, That Mr. Dorsey be the teller.

The Clerk of the House of Representatives, presented an extract from the Journal of that House, which was read as follows :

*"In the House of Representatives,*

*January 9, 1807.*

Resolved, That a Member of the House of Representatives be appointed to officiate as teller, at the election of State-treasurer, to be held on Tuesday next, and that information thereof be transmitted by the Clerk to the Senate. And

Ordered, That Mr. Shewell, be the teller for that purpose."

And he informed the Senate, that the House of Representatives have not concurred in the amendment by Senate, on the bill, entitled "An act for the relief of James Oglevia."

He presented for signature, the bill, entitled "A supplement to the act, entitled "An act to alter the judiciary system of this Commonwealth."

And he presented for concurrence, the bill, entitled "An act authorizing Jonathan Hill and Elizabeth Thatcher, executors to the estate of Daniel Hill, deceased, to convey a certain piece of land therein mentioned," which was read the first time.

The Speaker signed the bill presented for signature.

On motion of Mr. Semmer and Mr. Wayne, and by special order, the information from the House of Representatives, relative to the amendments by Senate, on the bill for the relief of James Oglevia, was again read.

Whereupon,

Resolved, That Senate do not recede from their amendments on the said bill; and

Ordered, That the Clerk acquaint the House of Representatives accordingly.

Adjourned till 10 o'clock to-morrow morning.

## Saturday, January 10, 1807.

Mr. Hart from the committee of accounts, made further report, as follows, to wit:

That the committee have examined the accounts of George Bryan, Clerk of the Senate, and the vouchers for the disbursement of the monies entrusted to him, and find that he has expended the sum of sixty dollars and sixty-four cents, more than he received from the Senate.

The following is an abstract from the Clerk's accounts.

*Amount paid by him out of the monies advanced to him for Printing.*

|                                                                                      |           |
|--------------------------------------------------------------------------------------|-----------|
| William Hamilton, printer of the Bills                                               | \$ 222 50 |
| John Burnside, printer of Journal, in English                                        | 269       |
| Henry Grimler, printer of ditto, in German                                           | 136 50    |
| William Dickson and William Reichenbach, examining the Journal in English and German | 13        |
| William Greear, per order of Senate of nineteenth ultimo                             | 100       |

*Amount carried forward*

\$ 741

*Amount brought forward*

\$ 741

*Amount paid by him out of the monies placed  
in his hands to pay Contingent Expenses, viz.*

|                                         |   |          |
|-----------------------------------------|---|----------|
| For wood and sawing, &c.                | - | \$ 60 22 |
| Whitewashing                            | - | 5 50     |
| Mr. Zantzinger, rent of cellar for wood |   | 30       |
| William Kirkpatrick, for sundries       |   | 32 17    |
| William Boyd, per order of Senate       |   | 40       |
| N. Hantsh, for cleaning stove-pipe      |   | 3        |
| Thomas Dobson, for stationary           |   | 28 50    |
| For sundry painting                     | - | 5        |
| George Lechler, sundry work in Se-      | } | 20 12½   |
| nate Chamber                            |   |          |
| Candles, 156 pounds                     | - | 26       |
| Margaret Hart, washing and cleaning     |   | 14 52    |
| Sundry books, per resolution of last    | } | 27       |
| session                                 |   |          |
| John Getz, bookbinder                   | - | 20 60    |
| John F. Steinman, sundries              | - | 16 21½   |
| Sundry small charges                    | - | 9 4      |

337 80

*Accounts settled by the Committee of Accounts,  
March 29, 1806, (and for the payment of  
which a Warrant was issued in favor of the  
Clerk) to wit:*

|                            |          |
|----------------------------|----------|
| E. Bronson, for newspapers | \$ 10 85 |
| W. Duane, ditto            | 39 25    |
| W. M'Corkle, ditto         | 27 10    |
| Z. Poulson, ditto          | 9        |
| J. Binns, ditto            | 11       |
| S. H. Smith, ditto         | 19 50    |
| E. Pentland, ditto         | 5 33     |
| J. R. Mathews, ditto       | 4 67     |
| G. Kline, ditto            | 2 20     |

Carried forward

\$ 128 90

*Amount carried forward*

\$ 1078 80



|                                                     |           |                  |
|-----------------------------------------------------|-----------|------------------|
| <i>Amount brought forward</i>                       |           | \$ 1078 89       |
| Brought forward                                     | \$ 128 90 |                  |
| W. Froward, for newspapers                          | 1 17      |                  |
| J. Wyeth, ditto                                     | 1 16      |                  |
| W. Hamilton, ditto                                  | 5 33      |                  |
| J. Albright, ditto                                  | 33        |                  |
| J. M. Snowden, ditto                                | 1 17      |                  |
| John Long, for tape                                 | 4 8       |                  |
| A. Hart, sundries                                   | 5 43      |                  |
| Ditto, (so much paid by him for<br>bringing up wood | } 29 75   |                  |
| M. Kline, for twine                                 |           | 85               |
| Stacy Potts, for transcribing bills                 | 128 50*   |                  |
|                                                     |           | <hr/> 306 67     |
|                                                     |           | <hr/> \$ 1385 56 |

*List of Warrants issued to the Clerk.*

|                 |                                                                     |               |
|-----------------|---------------------------------------------------------------------|---------------|
| March 28, 1806, | To pay printers                                                     | \$ 800        |
| 31,             | To pay the accounts<br>as settled by the com-<br>mittee of accounts | 274 92        |
| 31,             | To pay the usual con-<br>tingent expences of<br>Senate              | 250           |
|                 |                                                                     | <hr/> 1324 92 |
|                 | Balance due the Clerk                                               | 60 64         |

1385 56

The committee of accounts further report, that it appears by the certificates of Zachariah Poulson, junior, of the city of Philadelphia, printer, and William Dickson, of the borough of Lancaster, printer, that the Clerk has performed his duty, as prescribed in the resolution.

\* The variance between the amount as paid by the Clerk, and the warrant issued to him, arises from the deduction which the committee of accounts made from the last item, having been struck out in the Senate and that item restored to its original amount—See Journal of last session, pages 402, 465.

of the eleventh December, 1805, to wit: "That the Clerk of Senate, as soon as the printing of the Journals and Bills of this session are finished, shall employ a person skilled in printing, to examine the same, and report to him whether they have been done agreeably to the resolution of one thousand eight hundred and two."

The committee therefore submit the following resolution, to wit:

Resolved, That the Speaker draw his warrant on the State-treasurer, in favor of the Clerk for the above balance of sixty dollars and sixty-four cents.

The bill, entitled "An act to enable the administrators of the estate of James Carmichael, deceased, to complete the title to certain lands sold by their intestate by certain articles of agreement," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act for the relief of Isaac Ely," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Hart in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill with one amendment, which was read as reported.

The bill, entitled "An act authorizing Jonathan Hill and Elizabeth Thatcher, executors to the estate of Daniel Hill; deceased, to convey a certain piece of land therein mentioned," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill without amendment.

Mr. Vance from the committee appointed for that purpose, made report :

That the committee in conjunction with the committee of the House of Representatives, yesterday, presented to the Governor for his approbation, the bill, entitled "A supplement to the act, entitled "An act to alter the judiciary system of this Commonwealth, and to alter the time of holding the courts of common pleas and quarter sessions, and orphans court, in the county of Washington."

Adjourned till 11 o'clock, Monday morning.

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### *Monday, January 12, 1807.*

The Clerk of the House of Representatives presented for signature, "A resolution for a further distribution of Carey and Bioren's edition of the laws, and of Hamilton's trial of the judges."

And he presented for concurrence, the bills entitled as follow, viz.

1. "An act to provide for the enumeration of the taxable inhabitants and slaves within this Commonwealth."

2. "An act further extending the act, entitled "An act for the relief of divers inhabitants of the county of Adams."

3. "A supplement to the act, entitled "An act to provide for the erection of a house for the employment and support of the poor in Montgomery county."

4. "An act for the relief of Benjamin Jennings."

He informed that the House of Representatives have concurred in the amendments by Senate, to rules, numbered five, seven and eight, of the joint rules; but

have not concurred in the amendments to rules one and six.

And that the House of Representatives insist on their disagreement to the amendments by Senate, to the bill, entitled "An act for the relief of James Oglevia," and have appointed Messrs. Boileau, Ogle and Bucher, a committee to confer with a committee of Senate on said amendments, if the Senate should appoint such committee.

The bills presented for concurrence, were severally read the first time.

The Speaker signed the resolution presented for signature.

Mr. Miller from the committee appointed to examine the files, and bring forward the unfinished business, made further report, to wit:

The bill, entitled "An act directing the mode of settling accounts in the Land-office, and to prevent frauds in obtaining warrants for lands," which was read the first time.

Mr. Dorsey from the committee to whom was referred, on the thirty-first ultimo, the petition of the Marine and Fire insurance company, on leave now given, reported the bill, entitled "An act to incorporate the Marine and Fire insurance company," which was read the first time.

The Deputy-Secretary of the Commonwealth presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I HAVE, this day, approved and signed the following acts of the General Assembly, and directed them to be returned to the respective Houses, in which they originated, viz.

1. "An act to encourage the killing of panthers."
2. "An act for the relief of John Hart."

3. "An act to enable Nicholas Swope, administrator of Joseph Devoss, deceased, to convey a part of a tract of land to Jacob Hough, assignee of John Devoss."

4. "An act to enable Peter W. Gallaudet, of the State of Connecticut, to sell and convey one moiety of a plantation, messuage and lot of ground therein described."

5. "An act authorizing the commissioners of Indiana county, to levy and collect county taxes in the county of Jefferson."

6. "A supplement to the act, entitled "An act to alter the judiciary system of this Commonwealth, and to alter the time of holding the courts of common pleas and quarter sessions, and orphans court, in the county of Washington."

7. "An act supplementary to an act, entitled "An act directing the sale of certain town-lots in the town of Beaver, and other lands adjacent thereto."

8. "A resolution authorizing the printing of six hundred copies of the Journals of the General Assembly, extraordinary, at a certain price."

THOMAS M'KEAN.

*Lancaster, January 12, 1807.*

The bill, entitled "An act authorizing Jonathan Hill and Elizabeth Thatcher, executors to the estate of Daniel Hill, deceased, to convey a certain piece of land therein mentioned," was read the second time, as reported by committee of the whole, yesterday, considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act for the relief of Isaac Ely," was read the second time, as reported by committee of the whole, yesterday, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

Moved by Mr. Pennell and Mr. Wayne,

Resolved, That the Clerk of Senate distribute such of the Indexes of the Journals of the Senate, as he may procure to be printed, during the present session, as follow, viz.

One copy to each Member of Senate and House of Representatives, respectively.

The usual number of copies for the Table of Senate, and the Table of the House of Representatives.

To the Clerks, Assistant-clerks, Sergeants-at-arms and Door-keepers, of the two Houses, each one copy.

To the several officers of government, who receive the Journals of the Legislature, each one copy.

Ordered to lie upon the table.

Moved by Mr. M'Arthur and Mr. Mayer,

Whereas the commissioners of those western counties which include the donation districts, have found it impracticable for them to discharge the duties enjoined on them by law, for want of correct connected drafts or maps of the donation districts, which are included within the respective counties, because, the drafts or maps of the donation districts, of which the commissioners are already possessed, were obtained previous to the time that the Secretary of State delivered the drafts, maps or charts of the donation districts into the Surveyor-general's office of the Commonwealth, under the authority of an act, dated the second day of April, 1802. And whereas, a number of tracts then represented on the drafts or maps as drawn, have since been disposed of, to be drawn again under the authority of the before mentioned act, and that a number of tracts have since been annually drawn, it therefore appears indispensably necessary, that the respective commissioners offices should be furnished with such documents, as they may deem requisite for their information.

*Resolved by the Senate and House of Representatives, of the Commonwealth of Pennsylvania, in General Assembly met,* That it shall be the duty of the Surveyor-general of the Commonwealth, on any application now made, or which hereafter shall be made, by any board of commissioners of any of the counties, in which donation or depreciation lands are situate, or by any person or persons, whom any of the said boards of com-

missioners may appoint or direct, to make application for any such board to the Surveyor-general for any connected draft, map or chart of any donation district, or depreciation district, or districts, or part or parts of districts, that the Surveyor-general, on any such application, shall cause to be made out a correct certified copy or copies, for the use of such board of commissioners, as having so applied for the same shall require or direct: And it shall be the duty of the Surveyor-general, also, to mark in any particular plot or draft, delineated or represented on any general map, draft or chart, of any donation district or districts, or part or parts thereof, the date or period of time that each particular tract of donation has been drawn by, and under the authority of an act of this Commonwealth, dated the second day of April, one thousand eight hundred and two, entitled "An act to complete the benevolent intention of the Legislature of this Commonwealth, by distributing donation lands to all who are entitled thereto," and should there not be convenient room to mark the dates of the respective tracts of land drawn under the aforesaid act, within the circumscribing lines of each tract so drawn, respectively, then in such case the Surveyor-general shall mark the number thereof, and the date when drawn, annexed in some convenient place on the margin of the general draft, or of a schedule thereunto annexed, in such a manner that the commissioners of the respective counties may be able to ascertain the time that any such tract of land may have been drawn, for which service the Surveyor-general is hereby authorized to receive the sum of            dollars, for every connected general draft of any donation or depreciation district for the use of the Commonwealth, and in the same proportion for any part or parts of a depreciation or donation district.

Ordered, That the said resolution lie upon the table.

The information from the House of Representatives, respecting the amendments by the Senate, on the bill, entitled "An act for the relief of James Oglevia," was again read.

Whereupon,

Resolved, That Mr. Wayne, Mr. Mitchell and Mr. Vance, be a committee, to join the committee of the House of Representatives, on the subject of the said amendments.

Ordered, That the Clerk acquaint the House of Representatives thereof.

The bill, entitled "An act declaring the middle of the river Monongahela, the division line between the counties adjoining the same," was read the second time, and considered by section.

Section I, being under consideration.

A motion was made by Mr. Wayne and Mr. Wertz, to amend the section, by striking out the proviso.

Whereupon,

After debate, it was

Moved by Mr. M'Arthur and Mr. Wayne,

To postpone the further consideration of the motion to amend, together with the section and bill, for the present.

Which was agreed to.

The report of the committee on the accounts of George Bryan, Clerk of Senate, read on the tenth instant, was again read, and the resolution attached thereto adopted, to wit:

Resolved, That the Speaker draw his warrant on the State-treasurer in favor of the Clerk, for the sum of sixty dollars and sixty-four cents, being a balance due to him on the settlement of his accounts.

Thereupon,

A warrant was accordingly so drawn.

Adjourned till 10 o'clock to-morrow morning.

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*Tuesday, January 13, 1807.*

Mr. Mayer presented the petition of the subscribers thereto inhabitants of the town and vicinity of Co-



Columbia, in the county of Lancaster; stating, that they have erected a house for public worship, in the town of Columbia, by subscription, for the use of the Lutherans and Calvinists, but as the building has cost more than the sum subscribed; they therefore pray the aid of the Legislature by way of lottery, to raise four thousand dollars; and the said petition was read, and Laid upon the table.

The bill, entitled "An act authorizing Jonathan Hill and Elizabeth Thatcher, executors to the estate of Daniel Hill, deceased, to convey a certain piece of land therein mentioned," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act for the relief of Isaac Ely," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

On motion of Mr. Harris and Mr. Brady,

The Senate adjourned for half an hour, in order that the Chamber of the Senate, may in the mean time, be prepared for the meeting of the Members of the two Houses, for the purpose of proceeding to the election of State-treasurer.

### S A M E D A T.

The Senate convened.

On motion,

Mr. Mitchell and Mr. Harris were appointed a committee to acquaint the House of Representatives, that the Chamber of the Senate, is prepared to receive the

Members of that House, to join the Members of the Senate, in the election of State-treasurer, agreeably to law.

Thereupon,

The Senate adjourned till 11 o'clock, to-morrow morning.

*Wednesday, January 14, 1807.*

Mr. Richards, teller on the part of the Senate, to officiate at the election of a Senator, to represent this State, in the Senate of the United States, made final report, as follows, to wit:

"That the Members of the Senate, and Members of the House of Representatives, met yesterday, agreeably to their adjournment, (on the sixteenth ultimo) in the Chamber of the latter, and proceeded to the election of a Senator, to represent this State, in the Senate of the United States, and upon counting the votes, it appeared that Andrew Gregg, had fifty-five; Nathaniel B. Boileau, forty, and John Steele, fourteen votes, and that thereupon, Andrew Gregg was declared to be duly elected."

The following is the state of the poll, to wit:

Messrs. Brady, Harris, Heston, Lattimore, Mayer, Mewhorter, Miller, Poe, Richards, Slaymaker, Sommer, Wayne, Wertz, of the Senate; and Messrs. Acker, Apple, Barnett, Biddle, Binney, Boyd, Brobst, Bull, Carver, Clawges, M. Davis, Gardner, Gisch, Gress, Hamersly, Hulme, Ingham, Ioder, Johnston, Kelton, Kimmell, Lobengier, Martin, Maxwell, M'Clelland, M'Comb, Nigh, Pennock, Radcay, Ramsey, Rankin, Rinker, Rose, Shaeffer, Shewell, Shriver, C. Smith, Walter Smith, Trimble, Webb, Welles and Wright, of the House of Representatives, voted for—

ANDREW GREGG.

Messrs. Dorsey, Hart, Heister, Laird, Martin, M'Arthur, Mitchell, Spangler, Vance, of the Senate;

and Messrs. Banks, Brown, Bucher, Cunningham, I. Davis, Findlay, Gross, Hendrix, Jennings, Kerr, Lacock, Lowrey, M'Clure, M'Cune, M'Farlane, M'Kinney, Mechling, Moore, Ogle, Pepfer, Piper, Rupert, Shultz, I. Smith, R. Smith, Wilson Smith, Stevenson, Wallace, Weber, Wilson and Snyder, *speaker*, of the House of Representatives, voted for—

NATHANIEL B. BOILEAU,

Messrs. Lane, *speaker*, Pennell and Rahr, of the Senate; and Messrs. Anderson, Boileau, Coolbach, Engle, Huston, Leib, Sheetz, Shearer, Spangler, Starnes and Tarr, of the House of Representatives, voted for—

JOHN STEELE.

And that four several certificates of the said election were signed by the Speaker of the Senate, as President of the joint meeting of the Members of both Houses; two of which were retained by the Clerk of the Senate, one of which to be transmitted to the President of the Senate of the United States, the other to be transmitted to the person elected, the third was delivered to the Clerk of the House of Representatives, to be entered on the Journal of that House, and the fourth is now presented to Senate to be preserved among the records thereof, and entered upon their Journal,

The certificate was read as follows, to wit:

I do hereby certify, That the Members of the Senate, and the Members of the House of Representatives, of the General Assembl., of the Commonwealth of Pennsylvania, having assembled in the Representatives' Chamber, in conformity to the law, entitled "An act to prescribe the times, places and manner of choosing Senators, to represent this State, in the Senate of the United States," passed the fifth day of February, one thousand eight hundred and two; did by a majority of votes of the Members present, choose Andrew Gregg, of Centre county; and the said Andrew Gregg, is hereby accordingly declared to be duly chosen a Senator, to represent the said Commonwealth, in the Senate of

the United States : Witness my hand this thirteenth day of January, one thousand eight hundred and seven.

P. C. LANE, *President.*

*Attest, &c.*

JOHN RICHARDS, *Teller on the part of the Senate.*

FRANÇOIS GARDNER, *Teller on the part of the House of Representatives.*

Mr. Wertz from the committee to whom was referred, on the sixth instant, the letter signed H. Grimmer, made report, which was read as follows, to wit:

That they have maturely considered the subject referred to them; they find by a reference to the former Journals, that the reports alluded to, have been uniformly printed in the German language, until within two years; this, in the opinion of your committee, highly useful and necessary information to the Germans of Pennsylvania, has been omitted from what reason they are incapable of elucidating. Your committee would humbly remark, and are fully convinced, that a large and respectable number of our constituents now reside in the counties of Berks, Dauphin, Northampton, Lancaster, York, Cumberland, Somerset and various other parts of the State, who either cannot read English or are incompetent of fully comprehending its meaning. That the Germans constitute a large portion of the citizens of this State, that they contribute very considerably towards defraying the yearly expenditures of government, and whose love of industry and attachment to our political institutions, are facts of public notoriety.

As the Legislature have during this session, resolved on having double the number of English Journals, printed for the benefit of the people; and as the expence attending the printing the aforesaid reports in the German language, is trifling, compared with its resulting utility.

Therefore, in order that this class of our citizens may also participate in the advantages of the governmental proceedings, and receive information of its fiscal con-

cerns, your committee offer the following resolution, viz.

Resolved, That the printer of the Journal in the German language be directed to print and attach to each of the aforesaid Journals, copies of the State-treasurer's and Register-general's annual reports, for the year 1806—7.

Mr. Dorsey, Teller on the part of the Senate, to officiate at the election of State-treasurer, reported :

“ That at a meeting of the Members of the Senate, and the Members of the House of Representatives, in the Chamber of the former, held yesterday, agreeably to law, William Findlay, had sixty-nine votes ; Matthias Barton, sixteen votes ; Jacob Eberman, thirteen votes ; John Hubley, ten votes ; and Patterson Bell, one vote ; and that William Findlay, was thereupon declared to be duly elected State-treasurer for the current year.

The following is a list of the Members voting, and the persons voted for, to wit :

Messrs. Lane, *Speaker*, Dorsey, Harris, Hart, Heister, Heston, Laird, Lattimore, Martin, M'Arthur, Mitchell, Pennell, Poe, Rahm, Richards, Spangler, Vance, Wertz, of the Senate ; and Messrs. Anderson, Apple, Banks, Barnett, Boileau, Brown, Bucher, Carver, Clawges, Coolbach, Cunningham, I. Davis, Engle, Gress, Gross, Hendrix, Huston, Jennings, Johnston, Kerr, Lacock, Leib, Lowrey, Martin, M'Clure, M'Cune, M'Farlane, M'Kinney, Mechling, Moore, Ogle, Pepfer, Piper, Rankin, Rupert, Scheetz, Shearer, Sewell, Shultz, J. Smith, R. Smith, Wilson Smith, Spangler, Starne, Stevenson, Tarr, Thompson, Wallace, Weber, Wilson, and Snyder, *Speaker*, of the House of Representatives, voted for—WILLIAM FINDLAY.

Messrs. Slaymaker, Sommer and Wayne, of the Senate ; and Messrs. Biddle, Binney, Gardner, Hamersly, Hulme, Kelton, Maxwell, M'Clelland, Nigh, Pennock, Walter Smith, Trimble and Welles, of the House of Representatives, voted for—MATTHIAS BARTON.

Messrs. Acker, Boyd, Brobst, Gisch, Ioder, Kim, mell, Lobengier, M'Comb, Radcay, Rinker, Rose,

Shaeffer and Wright, of the House of Representatives, voted for—JACOB EBERMAN.

Messrs. Brady, Mayer, Mewhorter and Miller, of the Senate; and Messrs. Bull, M. Davis, Ingham, Ramsey, Shriver and Webb, of the House of Representatives, voted for—JOHN HUBLEY.

Mr. C. Smith, of the House of Representatives, voted for—PATTERSON BELL.

Mr. Mayer from the committee to whom was referred, on the twelfth ultimo, the eighth item of the report of unfinished business, to wit:

“The resolution directing the Governor to furnish the executive of each State, with a copy of the laws of this session; (1805—6) and requesting a copy of theirs,” reported the same without amendment, which was read the first time.

The bill, entitled “An act to raise by way of lottery, a sum not exceeding two thousand five hundred dollars, for finishing a church in the town of Hanover, in the county of York,” was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole; (Mr. Hart in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the said bill without amendment.

The resolution respecting the distribution of the Indexes of the Journals of the Senate, read the twelfth instant, was again read, considered and adopted.

The petition of the subscribers thereto, inhabitants of Sadsbury township, Crawford county, read on the thirtieth ultimo, was again read, and referred to Mr. M'Arthur, Mr. Mayer and Mr. Slaymaker, to consider and report thereon.

The report of the committee, on the twelfth item of unfinished business, to wit: the “petition of the Roman Catholics of Elizabethtown, Lancaster county, for a lottery,” read on the ninth instant, was again read, and the resolution attached to the report, to wit:

"Resolved, That a committee be appointed to bring in a bill conformably to the prayer of the petitioners."

Being under consideration.

The Yeas and Nays on adopting the same, were required by Mr. Vance and Mr. Mitchell.

Whereupon,

A motion was made by Mr. Sommer and Mr. Miller, to postpone the further consideration of the subject for the present.

Mr. Heston and Mr. Mitchell required the Yeas and Nays, on the motion to postpone.

Thereupon,

On the motion, being put, the Members voted as follow, to wit:

#### YEAS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Heister,
4. Mr. Lattimore,
5. Mr. Mayer,
6. Mr. Miller,
7. Mr. Poe,

#### NAYS.

1. Mr. Dorsey,
2. Mr. Hart,
3. Mr. Heston,
4. Mr. Laird,
5. Mr. Martin,

#### YEAS.

8. Mr. Rahm,
9. Mr. Richards,
10. Mr. Slaymaker,
11. Mr. Sommer,
12. Mr. Spangler,
13. Mr. Wayne,
14. Mr. Lane, *Speaker*,

#### NAYS.

6. Mr. M'Arthur,
7. Mr. Mewhorter,
8. Mr. Mitchell,
9. Mr. Pennell,
10. Mr. Vance.

Fourteen Yeas and ten Nays, by which it appeared that the question was determined in the affirmative.

Adjourned till 11 o'clock to-morrow morning.

*Thursday, January 15, 1807.*

The Speaker laid before the Senate, the report of the trustees of Potter county, with the proposal of John Keating, Richard Gernon and John Sigismond

Roulet, (the only one made) offering one hundred and twenty acres of land, situate on the forks of the Allegheny river, to be laid off for a town, to be called Coudersport; one half of the lots of the said town together with one hundred and fifty acres of land, for the support of a school-master, to be for the use of the said county, and the sum of five hundred dollars to build a suitable school-house, payable when demanded; and the same were read, and

Laid upon the table.

Mr. Poe presented the memorial of Thomas Campbell, stating, that he considers himself aggrieved, in consequence of his not having received similar compensation with other officers of the revolutionary army, and which he thinks himself entitled to as he early embarked in the cause of independency; and the same was read, and

Laid upon the table.

Mr. Wayne from the committee appointed for that purpose, on the twelfth instant, made report as follows, to wit:

The committee appointed on the part of the Senate, to confer with the committee appointed by the House of Representatives, on the subject of the amendments by the Senate, to the bill, entitled "An act for the relief of James Oglevia," report:

That they met the committee of the House of Representatives, appointed on that subject, and mutually agreed to recommend to their respective Houses, so to amend the amendment of the Senate, to the bill aforesaid, as to make the annuity read "fifty dollars," instead of "forty dollars per annum."

Whereupon,

On motion of Mr. Mitchell and Mr. Wayne,

The said report was again read, considered and adopted.

Ordered, That the Clerk acquaint the House of Representatives thereof.

The bill, entitled "An act to raise by way of lottery, a sum not exceeding two thousand five hun-



dred dollars, for finishing a church in the town of Hanover, in the county of York," was read the second time, as reported by committee of the whole, yesterday, considered by section, and agreed to.

Whereupon,

The Yeas and Nays on the question, "*Shall this bill be prepared for the third reading?*" were required by Mr. Vance and Mr. Pennell, and, on the question, being put, the Members voted as follow, to wit;

## YEAS.

1. Mr. Brady,
2. Mr. Heister,
3. Mr. Lattimore,
4. Mr. Mayer,
5. Mr. Mewhorter,
6. Mr. Miller,
7. Mr. Poe,

## YEAS.

8. Mr. Rahm,
9. Mr. Richards,
10. Mr. Slaymaker,
11. Mr. Sommer,
12. Mr. Spangler,
13. Mr. Wayne.

## NAYS.

1. Mr. Dorsey,
2. Mr. Harris,
3. Mr. Hart,
4. Mr. Heston,
5. Mr. Laird,

## NAYS.

6. Mr. M'Arthur,
7. Mr. Pennell,
8. Mr. Vance,
9. Mr. Lane, *Speaker*.

Thirteen Yeas and nine Nays, by which it appeared that the question was determined in the affirmative.

Thereupon,

Ordered, That the said bill be prepared for the third reading.

The Clerk of the House of Representatives presented for concurrence, three bills, entitled as follow, to wit:

1. "An act to enable aliens in certain cases to purchase and hold real estate within this Commonwealth."

2. "An act authorizing the Governor to incorporate a company for making an artificial road by the nearest and best route through the counties of Wayne and Luzerne, beginning at the river Delaware where the proposed bridge is to be built, near the town of

Millford, thence through the said town and the counties aforesaid, to or near to the forty-third milestone, in the north line of the State."

3. "An act for the relief of Frederick Rumel."

And he informed, that the House of Representatives have adopted the report of the joint committee on the subject of the amendments by Senate, to the bill, entitled "An act for the relief of James Oglevia."

The message from the House of Representatives, on the subject of the rules of doing business between the two Houses, read on the twelfth instant, was again read,

Whereupon,

Resolved, That Senate do recede from their amendment on the first rule, but do insist on their amendment on the sixth rule; and

Ordered, That the Clerk acquaint the House of Representatives thereof.

Moved by Mr. Vance and Mr. Pennell,

That the following be added to, and constitute one of the rules of Senate, to wit:

"In all cases where the report of a committee contemplates the bringing in a bill, it shall be the duty of the committee to state the principles thereof in the reports: That upon the first reading of the report in Senate, a day shall be assigned for the second reading thereof, when the merits of the subject reported on, may be brought fully into the view of the Senate, and the propriety of proceeding further thereon determined."

Ordered that it lie upon the table.

The resolution, relative to the publication of laws of a general nature, in newspapers, postponed for the present on the twelfth instant, was resumed.

And being under consideration.

A motion was made by Mr. Wayne and Mr. Sommer, to amend the same, by inserting in line fourteen, between the words "other and" the following "and that the expences of publishing such

laws shall be defrayed out of any unappropriated monies in the Treasury."

Which was agreed to, and the resolution as amended adopted.

Ordered, That it be presented to the House of Representatives for concurrence.

The petition of the subscribers thereto, inhabitants of Shenango and Fallowfield townships, Crawford county, read on the third instant, was again read, and referred to the committee to whom was yesterday referred the petition of the subscribers thereto, inhabitants of Sadsbury township, Crawford county, to consider and report thereon.

The bill, entitled "A supplement to the act, entitled "An act to enable the Governor of this Commonwealth, to incorporate a company, for opening a canal and lock navigation between the rivers Schuylkill and Susquehanna, by the waters of Tulpehocken, Quittapahilla and Swatara, in the counties of Berks and Dauphin," was read the second time, as reported by special committee on the sixth instant, (to whom it had been recommitted) and considered by section.

Sections I to VI, inclusive, were severally agreed to.

Section VII, being under consideration.

A motion was made by Mr. Sommer and Mr. Wayne, to fill the blank with "three hundred thousand dollars" the sum contemplated to be vested by the State in the stock of said company, as soon as the canal is finished, and in operation.

Whereupon,

The Yeas and Nays, on so filling the blank, were required by Mr. Hart and Mr. Wayne, and, on the question, being put, the Members voted as follow, to wit:

YEAS.

YEAS.

1. Mr. Brady,
2. Mr. Dorsey,
3. Mr. Harris,
4. Mr. Heston,
5. Mr. Mayer,

6. Mr. Miller,
7. Mr. Mitchell,
8. Mr. Pennell,
9. Mr. Poe,
10. Mr. Rahm,

## YEAS.

11. Mr. Richards,
12. Mr. Slaymaker,
13. Mr. Sommer,

## NAYS.

1. Mr. Hart,
2. Mr. Heister,
3. Mr. Laird,
4. Mr. Lattimore,

## YEAS.

14. Mr. Vance,
15. Mr. Wayne,
16. Mr. Wertz.

## NAYS.

5. Mr. M'Arthur,
6. Mr. Mcwhorter,
7. Mr. Spangler,
8. Mr. Lane, *Speaker*.

Sixteen Yeas and eight Nays, by which it appeared that the question was determined in the affirmative.

The section as amended, was adopted.

The remaining sections, with the preamble and title, being agreed to.

Ordered, That the said bill be prepared for the third reading.

Adjourned till 11 o'clock, to-morrow morning.

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*Friday, January 16, 1807.*

The Speaker laid before the Senate, a report of the Surveyor-general, of the contingent expences of that office, in connection with the board of property for one year, ending thirtieth September last; likewise a report of the expenditures of the extra appropriation to the office of Surveyor-general, for clerk-hire; by which it appears that one additional clerk has been engaged in bringing forward the business in arrears and aiding in the current business, when the other clerks were unequal to attend to all the numerous applications. The Surveyor-general, recommends a continuance of the present number of clerks in his office; and the same was read, and

Laid upon the table.

The bill, entitled "An act to raise by way of lottery, a sum not exceeding two thousand five hundred dollars, for finishing a church in the town of

Hanover, in the county of York," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "A supplement to an act, entitled "An act to enable the Governor of this Commonwealth, to incorporate a company for opening a canal and lock navigation, between the rivers Schuylkill and Susquehanna, by the waters of Tulpehocken, Quittapahilla, and Swatara, in the counties of Berks and Dauphin," was taken up for the third reading.

Whereupon, it was

Moved by Mr. Hart and Mr. Mitchell,

That the third reading of the said bill be postponed for the present.

Which was not agreed to.

Thereupon,

The said bill was read the third time.

The Yeas and Nays on the question, "*Shall this bill pass?*" were required by Mr. Hart and Mr. Wayne, and on the question, being put, the Members voted as follow, to wit:

#### YEAS.

1. Mr. Brady,
2. Mr. Dorsey,
3. Mr. Harris,
4. Mr. Heister,
5. Mr. Heston,
6. Mr. Mayer,
7. Mr. Miller,
8. Mr. Mitchell,

#### NAYS.

1. Mr. Hart,
2. Mr. Lattimore,
3. Mr. M'Arthur,
4. Mr. Mewhorter,

#### YEAS.

9. Mr. Pennell,
10. Mr. Poe,
11. Mr. Rahm,
12. Mr. Richards,
13. Mr. Slaymaker,
14. Mr. Sommer,
15. Mr. Wayne,
16. Mr. Wertz.

#### NAYS.

5. Mr. Spangler,
6. Mr. Vance,
7. Mr. Lane, *Speaker.*

Sixteen Yeas and seven Nays, by which it appeared that the question was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The Clerk of the House of Representatives presented for concurrence, two bills, entitled respectively as follow, to wit:

1. "An act to encourage the killing of squirrels and crows."

2. "An act for the relief of Christian Shockey," which were severally read the first time.

The bill, entitled "A supplement to the act, entitled "An act to provide for the erection of a house for the employment and support of the poor, in Montgomery county," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Vance in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill without amendment.

Thereupon,

On motion of Mr. Wertz and Mr. Richards,

The said bill as reported by committee of the whole, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act extending the act, entitled "An act for the relief of divers inhabitants of the county of Adams," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

On motion of Mr. Wertz and Mr. Wayne,

The Senate resumed the consideration of the fourteenth item of the report of unfinished business, to wit: "Report of the committee respecting the right of Henry Wertz, junior, to hold a seat in the Senate."

And the said report being again under the consideration of Senate.

A motion was made by Mr. Mitchell and Mr. Brady, to postpone the further consideration thereof, generally.

Which was agreed to.

On motion of Mr. Hart and Mr. Sommer,

Resolved, That the Speaker draw his warrant on the State-treasurer, in favor of George Bryan, Clerk of the Senate, for six hundred dollars, to defray the contingent expences thereof, he to account therefor.

Whereupon,

On motion of Mr. Mitchell and Mr. Hart,

The said resolution was again read, considered and adopted.

And a warrant accordingly so drawn.

Adjourned till 11 o'clock to-morrow morning.

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*Saturday, January 17, 1807.*

The Clerk of the House of Representatives presented for concurrence, the bill, entitled "An act to afford immediate relief to Dennis M'Knight, a soldier during the revolutionary war, and to grant him an annuity."

And he returned the bill, entitled "An act to organize the provisional county of Cambria," and informed that the House of Representatives have passed the same with amendments, in which the concurrence of the Senate is requested.

The amendments were read as follow, to wit:

Section IV, line 3, strike out the word "bail" and insert in lieu thereof, the word "security"

Section VI, line 5, strike out the word "other"

Line 16. between the words "one having" introduce the word "and"

Strike out the tenth section.

Whereupon,

Resolved, That Senate concur therein, and

Ordered, That the Clerk acquaint the House of Representatives thereof.

The bill, as above presented for concurrence, was read the first time.

Mr. Wayne presented the petition of the subscribers thereto, owners of unsatisfied land warrants, praying relief; and the same was twice read, and referred to Mr. Mitchell, Mr. Wayne, Mr. Vance, Mr. Rahm and Mr. Pennell, to consider and report thereon.

Mr. Slaymaker presented the petition of Jacob Mayer; stating, that he applied by petition to the Legislature at their last session for an act, divorcing him from the bonds of matrimony with his present wife; he therefore prays the attention of the Legislature to his case; and the same was twice read, and referred to Mr. Slaymaker, Mr. Mayer, Mr. Mitchell, Mr. Brady and Mr. Rahm, to consider and report thereon.

The memorial of Thomas Campbell, read on the fifteenth instant, was again read, and referred to Mr. Poe, Mr. Lattimore and Mr. Laird, to consider and report thereon.

Mr. Dorsey presented the memorial of the commissioned officers of the first division of the Pennsylvania militia, (referring to one presented last session) stating the defects and suggesting alterations in the militia system; and the same was twice read, and referred to the committee appointed on the subject of the militia system.

The bill, entitled "A supplement to the act, entitled "An act to provide for the erection of a house for the employment and support of the poor, in Montgomery county," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act further extending the act, entitled "An act for the relief of divers inhabitants of the county of Adams," was read the third time.



Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act for the relief of Benjamin Jennings," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Brady in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill without amendment.

The bill, entitled "An act authorizing the Governor to incorporate a company, for making an artificial road by the nearest and best route through the counties of Wayne and Luzerne, beginning at the river Delaware, where the proposed bridge is to be built, near the town of Milford, thence through the said town and the counties aforesaid, to or near to the forty-third milestone, in the north line of the State," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The report of the committee to whom was referred the letter of H. Grimler, read on the fourteenth instant, was again read, and the resolution attached thereto, to wit:

Resolved, That the printer of the Journal in the German language be directed to print and attach to each copy of the Journal, one copy of the State-treasurer's and Register-general's annual reports, for the year 1806—7.

Being under consideration.

A motion was made by Mr. Wertz and Mr. Mitchell, to amend the resolution by inserting a provision to direct the printing of the said reports in the English, as well as the German language.

Whereupon, it was

Moved by Mr. Sommer and Mr. Wertz, and  
Agreed, That the said report be recommitted.

Whereupon,

Ordered, That it be referred to the committee who made the report.

On motion of Mr. Mayer and Mr. Richards,

The Senate resumed the consideration of the bill, entitled "An act to raise by way of lottery a sum of money to defray the expences incurred by the trustees of the German Lutheran congregation, in and near the borough of Lancaster," postponed for the present on the nineteenth ultimo.

The consideration of section I, recurring.

The question, on agreeing thereto, being put, was determined in the affirmative.

The remaining sections, with the title being agreed to.

Ordered, That the said bill be prepared for the third reading.

Adjourned till 11 o'clock, Monday morning.

## *Monday, January 19, 1807.*

The bill, entitled "An act to raise by way of lottery a sum of money, to defray the expences incurred by the trustees of the German Lutheran congregation, in and near the borough of Lancaster," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act to authorize the Governor to incorporate a company, for making an artificial road by the nearest and best route through the

counties of Wayne and Luzerne, beginning at the river Delaware, where the proposed bridge is to be built, near the town of Milford, thence through the said town and the counties aforesaid to or near to the forty-third milestone, in the north line of the State," was read the third time.

Whereupon,

A motion was made by Mr. M'Arthur and Mr. Vance, to commit the bill, for the purpose of introducing a provision for the valuation and payment of any lands used, in making the said turnpike.

Which was agreed to, and Mr. M'Arthur, Mr. Sommer and Mr. Wayne, were appointed a committee for that purpose.

The Clerk of the House of Representatives presented for signature, five bills entitled respectively, as follow, to wit:

1. "An act authorizing Jonathan Hill and Elizabeth Thatcher, executors to the estate of Daniel Hill, deceased, to convey a certain piece of land therein mentioned."

2. "An act to enable the administrators of the estate of James Carmichael, deceased, to complete the title to certain lands sold by their intestate by certain articles of agreement."

3. "A supplement to the act, entitled "An act to provide for the erection of a house for the employment and support of the poor, in Montgomery county."

4. "An act further extending the act, entitled "An act for the relief of divers inhabitants of the county of Adams."

5. "An act for the relief of James Oglevia."

And he presented for concurrence, two bills, entitled as follow, to wit:

1. "An act authorizing certain trustees to sell and convey a plantation or tract of land in Chester county, being the joint property of the Baptist congregation in Vincent township, and the congregation of St. Peter's church, in Fredyria township."

2. "An act for the relief of James Mitchell," which were severally read the first time.

The Speaker signed the bills presented for signature.

The bill, entitled "An act for the relief of Benjamin Jennings," was read the second time, as reported by committee of the whole, on the seventeenth instant, and considered by section.

Section I, being under consideration.

A motion was made by Mr. Wayne and Mr. M'Arthur, to amend the section, by striking out "any services which he has rendered" and insert in place thereof, "his depreciation of pay"

Which was agreed to.

Whereupon,

The question on agreeing to the section as amended, being put, was determined in the negative, and so the bill was lost.

The bill, entitled "An act for the establishment of schools throughout the Commonwealth," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Richards in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill with amendments, which were read as reported.

The bill, entitled "An act to afford immediate relief to Dennis M'Knight, a soldier during the revolutionary war, and to grant him an annuity," was read the second time, and considered by section.

Section I, being under consideration, it was

Moved by Mr. Mitchell and Mr. Wayne, and

Agreed, That the provision for the payment of the annuity immediately to Mr. M'Knight be struck out, and the following inserted in place thereof, to wit:

"And that an annuity of forty dollars be granted for the use of Dennis M'Knight, to be paid to Alexander Ogle, or his executor or executors, administrator or

administrators, or his, or their lawful attorney, to commence from the first day of January, Anno Domini, 1807. and to be paid half-yearly to the said Alexander Ogle, or his executor or executors, administrator or administrators, or to his, or their lawful attorney, on warrants to be drawn by the Governor on the State-treasurer, which annuity shall be expended by the said Alexander Ogle, his executor or executors, administrator or administrators, or his or their attorney, in providing clothing, diet and lodging for the said Dennis M'Knight; and it shall and hereby is made the duty of the said Alexander Ogle, his executor or executors, administrator or administrators, or his or their attorney, to make an annual return to the orphans' court of Somerset county, on oath or affirmation, how and in what manner he or they have executed the trust in him or them confided by this act."

The section as amended, was adopted.

The title of the bill being agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act to encourage the killing of squirrels and crows, in certain parts of of this Commonwealth," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Wayne in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill without amendment.

On leave given Mr. Sommer read a bill in his place, and by permission presented the same to the Chair, entitled "An act authorizing the Secretary of the Commonwealth to procure an additional number of copies of Carey and Bioren's addition of the laws, with Bioren's continuation," which was read the first time.

Adjourned 'till 11 o'clock, to-morrow morning.

*Tuesday, January 20, 1807. :*

Mr. Dorsey presented the petition of James Ralston, of the borough of Easton, in the county of Northampton; stating, he was appointed agent under the act of February, 1801, and continued to do the duties required by that act till the twenty-second July, 1805: That by an act which was passed the fourth April, 1805, the office of agent under the act of February, 1801, was abolished, but as the petitioner was not informed of the fact till the twenty-second July, 1805, he conceives himself entitled to his salary till that time; and the same was twice read, and referred to Mr. Dorsey, Mr. Lattimore and Mr. Rahm, to consider and report thereon.

Mr. Dorsey also presented the memorial and petition of the president and directors, of the Chesapeake and Delaware canal company; stating, that on the first February, 1805, a petition was presented to the Legislature on behalf of the said company, pointing out the various difficulties they had experienced in the progress of the work, particularly the inadequate means furnished them by private subscription, the necessity of receiving from the State some aid, and the great advantages the canal would confer upon the agriculture, manufactures and commerce of Pennsylvania. That the company again addressed the Legislature by their petition, on the first of January, 1806, reiterating their solicitations: They therefore pray, the attention of the Legislature to the highly important objects of their undertaking; and the same was read, and

Laid upon the table.

The Clerk of the House of Representatives informed Senate, that the House of Representatives insist upon their disagreement to the amendment by Senate, on rule number six of the joint rules.

Whereupon,

Resolved, That Senate do insist on their amendment on said rule, and that Mr. Dorsey, Mr. Brady

and Mr. Mitchell, be a committee to confer with a committee of the House of Representatives, should that House appoint such committee.

Ordered, That the Clerk acquaint the House of Representatives accordingly.

Mr. Brady from the committee to whom was referred, on the twelfth ultimo, the eleventh item of the report of unfinished business, to wit: "The petition of William Sherrard," on leave now given, reported the bill, entitled "An act for the relief of William Sherrard," which was read the first time.

Mr. Miller from the committee to whom was referred, on the twelfth ultimo, the tenth item of the report of unfinished business, to wit: "The petition of James Orbison, attorney in fact for Alexander Robinson," made report as follows, to wit:

That after a careful examination of the subject, they find that Abraham Dubois and William Goforth were appointed auditors, to settle the depreciation of pay due to the troops of this State, in the service of the United States, in virtue of an act of Assembly passed the eighteenth day of December, 1780. That on the twenty-ninth day of March, 1781, the auditors aforesaid, certified, that the State of Pennsylvania was indebted to Michael Ryan in the sum of five hundred forty-five pounds twelve shillings and six pence, specie, being the amount of depreciation of his pay, from the first day of January, 1777, to the twelfth day of April, 1779. It appears to your committee, that this certificate was regularly transferred to Alexander Robinson, the petitioner, and stands among other certificates cancelled in the books of the Comptroller-general, and that the amount thereof has long since been passed to the credit of this State, in the settlement of accounts with the United States; and it being but just and reasonable that if such has been the case, the petitioner should be remunerated; they therefore submit the following resolution:

Resolved, That a committee be appointed to bring in a bill, authorizing the accounting officers to settle the full amount of said certificate with interest thereon, from the date thereof, for the use of the said Robinson.

Mr. M'Arthur from the committee to whom was, yesterday, committed, he bill, entitled "An act authorizing the Governor to incorporate a company for making an artificial road by the nearest and best route through the counties of Wayne and Luzerne, beginning at the river Delaware, where the proposed bridge is to be built, near the town of Milford, thence through the said town and the counties aforesaid, to or near to the forty-third milestone, in the north line of the State," reported the same with one amendment, which was read as reported.

Whereupon,

On motion of Mr. Sommer and Mr. Wayne, and by special order, the said bill was read the second time, as reported by special committee, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act to afford immediate relief to Dennis M'Knight, a soldier during the revolutionary war, and to grant him an annuity," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with one amendment, in which the concurrence of that House is requested.

*(For the amendment see the Journal of yesterday.)*

The bill, entitled "An act to provide for the enumeration of the taxable inhabitants and slaves within this Commonwealth," was read the second time.

Whereupon,



The Senate resolved itself into committee of the whole, (Mr. Sommer in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill without amendment.

The bill, entitled "An act to enable aliens, in certain cases, to purchase and hold real estates within this Commonwealth," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Dorsey in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill without amendment.

The bill, entitled "An act for the relief of Christian Shockey," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Wertz in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, reported progress, and had leave to sit again on the twenty-eighth instant.

The bill, entitled "An act for the relief of Frederick Rumell," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Hart in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill with the first section negatived.

Thereupon, on motion,

The report of the committee of the whole on the said bill was considered and adopted, and so the bill was lost.

The bill, entitled "An act for the relief of James

Mitchell," was read the second time, and referred to Mr. Brady, Mr. Vance and Mr. Miller, to consider and report thereon.

Adjourned till 11 o'clock, to-morrow morning.

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*Wednesday, January 21, 1807.*

The bill, entitled "An to act authorizing the Governor to incorporate a company, for making an artificial road by the nearest and best route through the counties of Wayne and Luzerne, beginning at the river Delaware, where the proposed bridge is to be built, near the town of Milford, thence through the said town and the counties aforesaid, to or near to the forty-third mile-stone, in the north line of the State," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with one amendment, in which the concurrence of that House is requested; which amendment is as follows, to wit:

Add a new section, to be called

"Section IV. *And be it further enacted by the authority aforesaid,* That if the said road be laid out and opened through the land of any person, whereby he, she or they shall sustain damage, the said company shall make amends to such person or persons for the same, to be agreed upon between them, if they can agree, or if they cannot agree, to be ascertained by appraisement to be made on oath or affirmation by three disinterested freeholders, any two of them agreeing mutually to be chosen, or if the owners upon due notice, shall neglect or refuse to join in the choice, then to be appointed by any justice of the peace, of either of the counties of

Wayne or Luzerne not interested therein: *Provided always*, That the appraisers, aforesaid, shall have regard in appraising damages, to the advantages derived from such road passing through the lands of the complainant."

The Clerk of the House of Representatives, returned the bill, entitled "An act to establish a public ferry on the west side of the river Susquehanna, about eight miles above the mouth of Juniata river, in Cumberland county, and to vest the right thereof in Mary Clark, her heirs and assigns," and informed that the House of Representatives have passed the same without amendment.

And he presented for concurrence, the bill, entitled "An act for establishing and confirming the place for holding the courts of justice in the county district of M'Kean," which was read the first time.

The bill, entitled "An act to enable aliens, in certain cases, to purchase and hold real estate within this Commonwealth," was read the second time, as reported by committee of the whole, yesterday, considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act authorizing certain trustees to sell and convey a plantation or tract of land in Chester county, being the joint property of the Baptist congregation in Vincent township, and the congregation of St. Peter's church, in Tredyffrin township," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Harris in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose and the Chairman reported the bill with the first section negatived.

Whereupon,

On motion of Mr. Sommer and Mr. Wayne,

The Senate proceeded to the consideration of the report of the committee of the whole on the said bill, and

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On the question, "*Will Senate adopt the report of the committee of the whole?*" being put, was determined in the negative.

Thereupon,

On motion of Mr. Wayne and Mr. Sommer,

The said bill was considered by section.

Section I, being under consideration, it was

Moved by Mr. Wayne and Mr. Sommer, and

Agreed, That the following be inserted at the end of the section, to wit:

*"Provided always, That in case of the dissolution of the corporations of the aforesaid churches, that then all the nett proceeds of the said sale, in whatever manner the same may be vested, shall descend to the legal representatives of the aforesaid Daniel Evans, deceased, agreeably to the intestate laws of this Commonwealth then in force."*

On motion of Mr. Hart and Mr. Pennell,

Agreed, That the section be further amended, by making the word "Baptist" read "Annabaptist" wherever it occurs.

Whereupon,

The Yeas and Nays on adopting the section, as amended, were required, by Mr. Wayne and Mr. Hart, and, on the question, being put, the Members voted as follow, to wit:

#### YEAS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Hart,
4. Mr. Miller,
5. Mr. Pennell,
6. Mr. Poe,

#### NAYS.

1. Mr. Dorsey,
2. Mr. Heston,
3. Mr. Laird,
4. Mr. Martin,
5. Mr. Mayer,

#### YEAS.

7. Mr. Rahm,
8. Mr. Richards,
9. Mr. Slaymaker,
10. Mr. Sommer,
11. Mr. Wayne.

#### NAYS.

6. Mr. M'Arthur,
7. Mr. Mewhorter,
8. Mr. Spangler,
9. Mr. Vance,
10. Mr. Lane, *Speaker.*

Eleven Yeas and ten Nays, by which it appeared that the question was determined in the affirmative.

On motion of Mr. Wayne and Mr. Hart,

The following was adopted as an additional section, to be called

"Section II. *And be it further enacted by the authority aforesaid,* That within twelve months after the sale aforesaid, the said elders of the Annabaptist congregation aforesaid, and the wardens and vestry of the Episcopal church aforesaid, shall cause to be erected a tablet of marble in their respective churches, dedicated to the memory of Daniel Evans, deceased, with appropriate inscriptions of his donation to said churches, respectively."

The preamble being under consideration.

On motion of Mr. Hart and Mr. Pennell,

Agreed, That the word "Baptist" be made to read "Annabaptist" in the second and thirteenth lines,

The preamble as amended, was agreed to.

The title being under consideration.

On motion of Mr. Hart and Mr. Pennell,

Agreed, That the word "Baptist" be made to read "Annabaptist"

The title as amended being agreed to.

Ordered, That the said bill be prepared for the third reading.

On leave given, Mr. Harris read a bill in his place, and by permission presented the same to the Chair, entitled, "An act appointing a trustee in Centre county," which was read the first time.

On leave given, Mr. Dorsey read a bill in his place, and by permission presented the same to the Chair, entitled "An act to promote the more speedy administration of justice," which was read the first time.

The petition of the subscribers thereto, inhabitants of the town and vicinity of Columbia, in the county of Lancaster, read on the thirteenth instant, was again read, and referred to Mr. Mayer, Mr. Slaymaker, and Mr. McArthur, to consider and report thereon.

Mr. Vance from the committee appointed for that purpose, made report :

That the committee in conjunction with the committee of the House of Representatives yesterday, presented to the Governor for his approbation, the bills and resolution entitled as follow, to wit:

1. "An act for the relief of James Oglevia."
2. "An act to enable the administrators of the estate of James Carmichael, deceased, to complete the title to certain lands sold by their intestate by certain articles of agreement."
3. "A supplement to the act, entitled "An act to provide for the erection of a house for the employment and support of the poor, in Montgomery county."
4. "An act further to extend the act, entitled "An act for the relief of divers inhabitants of the county of Adams."
5. "Act authorizing Jonathan Hill and Elizabeth Thatcher, executors of the estate of Daniel Hill, deceased, to convey a certain piece of land therein mentioned."

And, a "Resolution for the further distribution of Carey and Bioren's edition of the laws of this Commonwealth, and Hamilton's trial of the judges."

Mr. Spangler asked and obtained leave of absence for a few days.

Adjourned 'till 11 o'clock, to-morrow morning.

*Thursday, January 22, 1807.*

Mr. Brady from the committee to whom was referred, on the twentieth instant, the bill, entitled "An act for the relief of James Mitchell," reported the said bill without amendment.

Mr. Harris from the committee to whom was referred, on the eighth ultimo, the second item of the Governor's address, and on the twelfth ultimo, the se-

venth item of the report of unfinished business, both on the subject of "selecting and returning jurors," made the following report:

That they have given the subject due consideration and although your committee have no doubt but that cases may and will occur, where juries selected in the manner prescribed by the existing law, may not be as well qualified to decide on intricate and complicated questions, as could be wished for, yet as that law has not in the opinion of your committee, been a sufficient time in operation to afford grounds for deciding fairly and fully on its merits or demerits, and as hopes may reasonably be entertained that its defects will in some measure be remedied by experience: Your committee are therefore induced to offer the following resolution:

Resolved, That it is inexpedient at this time to legislate on the subject of selecting and returning jurors.

The bill, entitled "An act to enable aliens, in certain cases, to purchase and hold real estates within this Commonwealth," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act authorizing certain trustees to sell and convey a plantation or tract of land in Chester county, being the joint property of the Baptist congregation in Vincent township, and the congregation of St. Peter's church, in Tredyffrin township," was read the third time.

Whereupon,

The Yeas and Nays on the question, "*Shall this bill pass?*" were required by Mr. Hart and Mr. Wayne, and on the question, being put, the Members voted as follow, to wit:

## YEAS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Hart,
4. Mr. Laird,
5. Mr. Miller,
6. Mr. Mitchell,
7. Mr. Pennell,

## NAYS.

1. Mr. Dorsey,
2. Mr. Heston,
3. Mr. Martin,
4. Mr. Mayer,

## YEAS.

8. Mr. Poe,
9. Mr. Rahm,
10. Mr. Richards,
11. Mr. Sommer,
12. Mr. Wayne,
13. Mr. Wertz.

## NAYS.

5. Mr. M'Arthur,
6. Mr. Mewhorter,
7. Mr. Lane, *Speaker*.

Thirteen Yeas and seven Nays, by which it appeared that the question was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence of that House is requested; (which amendments may be seen on the Journal of yesterday.)

The Clerk of the House of Representatives informed Senate, that the House of Representatives have concurred in the amendments by Senate, to the bills entitled as follow, to wit:

1. "An act authorizing the Governor to incorporate a company, for making an artificial road by the nearest and best route through the counties of Wayne and Luzerne, beginning at the river Delaware, where the proposed bridge is to be built, near the town of Milford, thence through the said town and the counties aforesaid, to or near to the forty-third milestone, in the north line of the State."

2. "An act to afford immediate relief to Dennis M'Knight, a soldier during the revolutionary war, and to grant him an annuity."

The bill, entitled "An act authorizing the Secretary of the Commonwealth to procure an additional number of copies of Carey and Bioren's edition of the laws, with Bioren's continuation," was read the second time.



Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Brady in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill with amendments, which were read as reported.

The bill, entitled "An act to establish schools throughout this Commonwealth," was read the second time, as reported by committee of the whole, on the nineteenth instant, and considered by section.

Section I, being under consideration.

A motion was made by Mr. Wayne and Mr. Sommer, to amend the section, so that it shall be the duty of the sheriff of each county, at the ensuing election only, after the passing of the act, to issue his proclamation, instead of its being his duty to do so annually, to ascertain the sense of the people as to the adoption of the act.

Which was not agreed to.

Whereupon,

On motion of Mr. Harris and Mr. Brady, it was Agreed, That the section be amended so as to make it the duty of the sheriff, thirty days before the next general election, to issue his proclamation, and triennially thereafter.

Thereupon, after debate,

A motion was made by Mr. Wayne and Mr. Hart, to recommit the bill to the committee of the whole.

Which was agreed to, and

Ordered, That the committee of the whole shall sit again for that purpose, on Thursday the twenty-ninth instant.

The Clerk of the House of Representatives presented for concurrence, two bills entitled as follow, to wit:

1. "An act to provide for the erection of a house for the employment and support of the poor, in the county of Cumberland."

2. "A further supplement to the act, entitled "An act to provide for the erection of a house for the employment and support of the poor, in the county of York."

And for signature the bills entitled as follow, viz.

1. "An act authorizing the Governor to incorporate a company for making an artificial road by the nearest and best route, through the counties of Wayne and Luzerne, beginning at the river Delaware, where the proposed bridge is to be built, near the town of Milford, thence through the said town and the counties aforesaid to or near to the forty-third milestone, in the north line of the State."

2. "An act to afford immediate relief to Dennis M'Knight, a soldier during the revolutionary war, and to grant him an annuity."

3. "An act to establish a public ferry on the west side of the river Susquehanna, about eight miles above the mouth of Juniata river, in Cumberland county, and to vest the right thereof in Mary Clark, her heirs and assigns."

4. "An act to organize the provisional county of Cambria."

And he returned the "Resolution respecting the publication of laws, of a public or general nature, in newspapers," and informed that the House of Representatives have passed the same without amendment.

The Speaker signed the bills presented for signature.

The bills, presented for concurrence, were severally read the first time.

Mr. Wayne asked, and obtained leave of absence for four days.

Mr. Pennell asked, and obtained leave of absence for Mr. Wertz, for the same time.

Adjourned till 11 o'clock, to-morrow morning.

*Friday, January 23, 1807.*

Mr. Sommer presented the petition of the subscribers thereto, inhabitants of the Northern-Liberties, in the county of Philadelphia; stating, that in consequence of their distance from the town-house very considerable inconvenience has for several years past been sustained by them, in the exercise of the right of suffrage; they therefore pray, that the said Liberties may be divided agreeably to the limits mentioned in their petition; and the same was twice read, and referred to Mr. Sommer, Mr. Pennell and Mr. Dorsey, to consider and report thereon.

Mr. Harris presented the petition of Thomas Gallaher, stating his services in the revolutionary army; his wounds and imprisonment in fighting for the liberty of his country, and praying relief; and the said petition was twice read, and referred to Mr. Harris, Mr. Poe and Mr. Martin, to consider and report thereon.

The bill, entitled "An act authorizing the Secretary of the Commonwealth to procure an additional number of copies of Carey and Bioren's addition of the laws, with Bioren's continuation," was read the second time, as reported by committee of the whole yesterday, and considered by section.

Section I, being under consideration.

A motion was made by Mr. Sommer and Mr. Wayne, to amend the same by inserting the words "or contracted" next after the word "subscribed" in line 11.

Which was agreed to.

Moved by Mr. Vance and Mr. Poe,

That the section be further amended, by striking out "three hundred" and inserting in place thereof "one hundred and fifty" in order to confine the number of copies of the laws to be procured to that number.

Whereupon, it was

Moved by Mr. Heston and Mr. Hart, and

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Agreed, That the further consideration of the subject be postponed for the present.

The bill, entitled "An act authorizing the Governor to incorporate a company for making an artificial road, from Harrisburg, through Lewistown and Huntingdon, to Pittsburg," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Hart in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill with amendments, which were read as reported.

The bill, entitled "An act for the relief of James Mitchell," was read the second time, as reported by special committee, yesterday, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The Clerk of the House of Representatives informed, that the House of Representatives have concurred in the amendments by Senate, on the bill, entitled "An act authorizing certain trustees to sell and convey a plantation or tract of land, in Chester county, being the joint property of the Baptist congregation in Vincent township, and the congregation of St. Peter's church, in Tredyffrin township."

Mr. Vance from the committee appointed for that purpose, made report:

That the committee in conjunction with the committee of the House of Representatives, have, this day presented to the Governor for his approbation, four bills entitled respectively, as follow, to wit:

1. "An act to afford immediate relief to Dennis M'Knight, a soldier during the revolutionary war, and to grant him an annuity."

2. "An act to organize the provisional county of Cambria."

3. "An act to establish a public ferry on the west side of the river Susquehanna, about eight miles above

the mouth of Juniata river, in Cumberland county, and to vest the right thereof in Mary Clark, her heirs and assigns."

4. "An act to authorize the Governor to incorporate a company, for making an artificial road by the nearest and best route through the counties of Wayne and Luzerne, beginning at the river Delaware, where the proposed bridge is to be built, near the town of Milford, thence through the said town and the counties aforesaid, to or near to the forty-third milestone, in the north line of the State."

Adjourned till 11 o'clock, to-morrow morning.

*Saturday, January 24, 1807.*

Mr. M'Arthur from the committee to whom was referred, on the twelfth ultimo, the sixth item of the report of unfinished business, to wit: The bill, entitled "A supplement to the act, entitled "An act to encourage the patenting of lands, and for other purposes," reported the said bill without amendment, which was read the first time.

Mr. Slaymaker from the committee to whom was referred, on the seventeenth instant, the petition of Jacob Mayer, on leave now given, reported the bill, entitled "An act to dissolve the marriage of Jacob Mayer and his wife," which was read the first time.

Mr. M'Arthur from the committee to whom was referred, on the fourteenth and fifteenth instant, the petitions of the subscribers thereto, inhabitants of Sadsbury, Shenango and Fallowfield townships, Crawford county, on leave now given, reported (in part) the bill, entitled "An act to erect Sadsbury township, in the county of Crawford, into a separate election district."

The bill, entitled "An act for the relief of James Mitchell," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act authorizing the Governor to incorporate a company, for making an artificial road from Harrisburg, through Lewistown and Huntingdon, to Pittsburg," was read the second time, as reported by committee of the whole, yesterday, and considered by section.

Section I, being under consideration,

After debate,

A motion was made by Mr. Brady and Mr. Poe, to postpone the further consideration of the section and bill for the present.

Which was agreed to.

The bill, entitled "An act for establishing and confirming the place for holding the courts of justice in the county district of M'Kean," was read the second time, and referred to Mr. Brady, Mr. Miller, Mr. Poe, Mr. Richards and Mr. Martin, to consider and report thereon.

The "Resolution authorizing and directing the Surveyor-general to prepare certain maps and drafts," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the resolution with amendments, which were read as reported.

The Clerk of the House of Representatives presented for concurrence, the bill, entitled "An act for the relief of divers purchasers of the confiscated estate of Harry Gordon, who were evicted from the same," which was read the first time.

Whereupon,

On motion and by special order,

The said bill was read the second time, and referred to Mr. Pennell, Mr. Hart, Mr. Vance, Mr. Sommer, and Mr. Mitchell, to consider and report thereon.

On motion of Mr. Hart and Mr. Pennell,

Resolved, That the choice of directors, on the part of the Senate, for the banks of Pennsylvania and Philadelphia, be the order of the day for Friday next.

Adjourned 'till 11 o'clock, Monday morning.

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## *Monday, January 26, 1807.*

The "Resolution authorizing and directing the Surveyor-general to prepare certain maps and drafts," was read the second time, as reported by committee of the whole, on the twenty-fourth instant.

And being under consideration.

A motion was made by Mr. Harris and Mr. Mitchell, to amend the same, by striking out "three dollars" (the compensation for each connected general draft) and inserting in place thereof "ten cents for each tract in every connected general draft"

Which was agreed to, as also some verbal amendments, and the resolution, as amended, was adopted.

Ordered, That it be presented to the House of Representatives for concurrence.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I HAVE, this day, aproved and signed the following acts and resolution of the General Assembly, and have directed the Secretary to return the same to the respective Houses in which they originated, to wit:

1. "An act for the relief of James Oglevia."

2. "Act authorizing Jonathan Hill and Elizabeth Thatcher, executors to the estate of Daniel Hill, deceased, to convey a certain piece of land therein mentioned."

3. "An act to enable the administrators of the estate of James Carmichael, deceased, to complete the title to certain lands sold by their intestate by certain articles of agreement."

4. "An act further extending the act, entitled "An act for the relief of divers inhabitants of the county of Adams."

5. "A supplement to the act, entitled "An act to provide for the erection of a house for the employment and support of the poor, in Montgomery county."

6. "An act to authorize the Governor to incorporate a company for making an artificial road by the nearest and best route, through the counties of Wayne and Luzerne, beginning at the river Delaware, where the proposed bridge is to be built, near the town of Milford, thence through the said town and the counties aforesaid to or near to the forty-third milestone, in the north line of the State."

7. "An act to afford immediate relief to Dennis McKnight, a soldier during the revolutionary war, and to grant him an annuity."

8. "An act to establish a public ferry on the west side of the river Susquehanna, about eight miles above the mouth of Juniata river, in Cumberland county, and to vest the right thereof in Mary Clark, her heirs and assigns."

9. "An act to organize the provisional county of Cambria."

10. "A resolution directing the Secretary of the Commonwealth to make a further distribution of the laws of this State, printed by Carey and Bioren, and also of the trial of the judges of the supreme court, printed by William Hamilton."

THOMAS M'KEAN.

*Lancaster, January 26, 1807.*



The Clerk of the House of Representatives, presented for concurrence, the bills entitled as follow, to wit:

1. "An act to prohibit the distilling and boiling of turpentine and oil, and the manufacturing of varnish, within the city of Philadelphia, and its neighborhood."

2. "An act aiding the commissioners of Beaver county to procure water in the borough of Beaver."

3. "An act authorizing the commissioners of Bedford and Indiana counties, to levy and collect county taxes for the years one thousand eight hundred and seven, and one thousand eight hundred and eight."

4. "An act granting to Joseph Salmon, a tract of donation land, in remuneration for his services and sufferings during the revolutionary war;" which were severally read the first time.

The bill, entitled "An act appointing a trustee in Centre county," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "A further supplement to the act, entitled "An act to provide for the erection of a house for the employment and support of the poor, in the county of York," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill without amendment.

Thereupon,

On motion of Mr. Miller and Mr. Poe,

The said bill was considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

Moved by Mr. Harris and Mr. Sommer,

Resolved, That the Clerk of Senate be, and is hereby directed, to procure for the use of Senate the following books:

The Diversions of Purley, two copies.

Domestic Encyclopædia, one copy.

Dr. Henry's History of Great Britain, one copy.

Rumford's Essays, one copy.

Burgh's Political Disquisitions, one copy.

Stuart's Political Oeconomy, one copy.

Public Characters, two copies.

Pinkerton's Geography, one copy.

Spirit of Despotism, two copies.

Universal Gazetteer, two copies.

Belknap's American Biography, one copy.

Zimmerman on National Pride, one copy.

Jones' Biographical Dictionary, one copy.

Franklin's Works, one copy.

Forensic and Parliamentary Eloquence, one copy.

Curran's Speeches, one copy.

Repertory of Arts, &c. one copy.

Annual Register, one copy.

Hartley's Observations on Man, with notes by  
Pistorius, one copy.

Ordered to lie upon the table.

On motion, and by special order,

The bill, entitled "An act to prohibit the distilling and boiling of turpentine and oil, and the manufacturing of varnish, within the city of Philadelphia, and its neighbourhood," was read the second time, and referred to Mr. Sommer, Mr. Heston and Mr. Dorsey, to consider and report thereon.

On motion and by special order,

The bill, entitled "An act aiding the commissioners of Beaver county, to procure water in the borough of Beaver," was read the second time, and referred to Mr. Martin, Mr. Vance and Mr. McArthur, to consider and report thereon.

On motion and by special order,

The bill, entitled "An act authorizing the commissioners of Bedford and Indiana counties, to levy and collect county taxes for the years one thousand eight hundred and seven, and one thousand eight hundred and

eight;" was read the second time, and referred to Mr. Harris, Mr. Brady and Mr. Miller, to consider and report thereon.

On motion and by special order,

The bill, entitled "An act granting to Joseph Salmon, a tract of ~~donation~~ land, in remuneration for his services and sufferings during the revolutionary war," was read the second time, and referred to Mr. Mitchell, Mr. Martin and Mr. Laird, to consider and report thereon.

Adjourned till 11 o'clock, to-morrow morning.

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*Tuesday, January 27, 1807.*

Mr. Slaymaker presented the memorial of the subscribers thereto; stating, that the spirit of internal improvement has in latter years been pursued with much ardour and effect by the citizens of this State, aided by the fostering hand of its Legislature, more especially in the laying out and opening public roads; that great public benefit will arise from the opening and constructing an artificial road, to branch from the Philadelphia and Lancaster turnpike, at or near the place called the Gap, and running thence in the most direct route by the way of Cochran's, Chatham and Chandler's taverns, until it intersects the twelve mile circle or boundary of the State of Delaware, where it will form a communication with a similar road to Newport, on Christiana, already projected by that State; they therefore pray for an act of incorporation that they may carry into effect so beneficial a design, provided a similar act be obtained from the State of Delaware; and the said memorial was twice read, and referred to Mr. Slaymaker, Mr. Pennell, Mr. Mayer, Mr. Heister and Mr. Richards, to consider and report thereon.

Mr. M<sup>r</sup>Arthur presented the petition of the subscribers thereto, resident north and west of the rivers Ohio, Allegheny and Conewango creek; stating, that they ob-

served with pleasure the passing of an act to encourage the patenting of lands; that they expected the said law was intended to have a general operation throughout the State: they are however concerned to find by a decision of the board of property that the law does not extend to the lands over the Allegheny river: The petitioners therefore pray, for the interposition of the Legislature in their case, so that the beneficial effects of the said law may be extended to them; and the said petition was read, and

Laid upon the table.

Mr. Poe from the committee to whom was referred, on the seventeenth instant, the memorial of Thomas Campbell, on leave now given, reported the bill, entitled "An act for the relief of Thomas Campbell, of Franklin county," which was read the first time.

Mr. Pennell from the committee to whom was referred, on the eighth ultimo, the fourth item of the report on the Governor's address, made the following report, to wit:

That your committee have given the subject referred to them, a strict and dispassionate investigation, and however deeply they may lament in common with all good men, the censurable and indecorous attacks which several of the public prints within this Commonwealth are in the habit of making, against both public and private characters, and however much they feel disposed as citizens of this Commonwealth to deprecate such practices; yet, as the Constitution of this State, and of the United States, and the general principles of republican government, as well as their own inclinations, equally oppose restrictions which, in the event, might possibly tend to produce more serious evils to the good people of this Commonwealth, than any benefit which might be derived from Legislative interference; your committee do console themselves in a well founded belief, that the taste and good sense of the people of this Commonwealth, will ultimately prove the most efficient, satisfactory and salutary, corrective of the evil complained of; Therefore,

Resolved, That it is inexpedient to legislate upon the subject referred to them.

Mr. Martin from the committee to whom was, yesterday, referred the bill, entitled "An act aiding the commissioners of Beaver county, to procure water in the borough of Beaver," reported the said bill without amendment.

Mr. Harris from the committee to whom was yesterday referred, the bill, entitled "An act authorizing the commissioners of Bedford and Indiana counties, to levy and collect county taxes for the years one thousand eight hundred and seven, and one thousand eight hundred and eight," reported the said bill without amendment.

Mr. Dorsey from the committee to whom was referred, on the sixteenth ultimo, the petition of the subscribers thereto, associated for the purpose of promoting domestic manufactures, praying for an act of incorporation, made the following report, to wit:

That the prayer of the memorialists ought to be granted.

The bill, entitled "A further supplement to the act, entitled "An act to provide for the erection of a house for the employment and support of the poor, in the county of York," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act appointing a trustee in Centre county," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The Clerk of the House of Representatives presented for concurrence, the bill, entitled "An act for the removal of the powder magazine from the city of Philadelphia."

And he presented for signature, the bills entitled as follow, to wit:

1. "An act to enable aliens, in certain cases, to purchase and hold real estate within this Commonwealth."

2. "An act authorizing certain trustees to sell and convey a plantation or tract of land, in Chester county, being the joint property of the Annabaptist congregation, in Vincent township, and the congregation of St. Peter's church, in Tredyffrin township."

Whereupon,

The Speaker signed the said bills.

The bill, presented for concurrence, was read the first time.

The "Resolution directing the Clerk to procure certain books, read yesterday, was again read, considered and adopted.

Adjourned till 11 o'clock, to-morrow morning.

*Wednesday, January 28, 1807.*

The Secretary of the Commonwealth, presented a message from the Governor, together with the enclosures therein referred to.

The message and documents were severally read as follow, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

IN compliance with the request of his Excellency the Governor of Kentucky, I submit to the respective Houses, copies of a Resolution of the Legislature of that State, respecting illegal exactions practised at the ports of Natchez and New-Orleans; other Resolutions by the same Legislature expressive of the sentiments of their constituents towards the Government of the United States, have also been received

for information, copies of which will likewise be herewith laid before you.

THOMAS M'KEAN.

*Lancaster, January 28, 1807.*

*Frankford, (K.) December 22, 1807.*

SIR,

IN compliance with the request of the Legislature of this State, I transmit to you a copy of several resolutions agreed to in the present session, expressive of the sentiments of this State, towards the Government of the United States.

I have the honor to be,

Sir,

Your most obedient servant,

CHRISTOPHER GREENUP.

*His Excellency,  
The Governor of the State  
of Pennsylvania.*

"IN GENERAL ASSEMBLY,

*December 4, 1806.*

Whereas it is considered of importance, that citizens living under the same government, should be correctly informed of the views and intentions of every portion of the community; and as the sentiments of the people of Kentucky may be misunderstood by those who, from their remote situation, have not an opportunity of judging of the disposition which the citizens of this State, entertain towards the general government; and as an expression of the public will through their representatives, is deemed the most effectual mode to prevent any misapprehension of our sentiments, which might be occasioned by the conduct of individuals, or might grow out of misrepresentation.

*Resolved therefore by the General Assembly,* That the people of Kentucky feel the strongest attachment to the federal government, and consider a dismemberment of the Union as the greatest evil which could befall them

and would view with abhorrence any individual or set of individuals, who would attempt to separate us from those whose interests are so intimately connected with our own, and for whom the people of Kentucky entertain an unchangeable attachment arising from a lively recollection of their united efforts for liberty.

*Resolved*, That the people of Kentucky have entire confidence in the present administration of the general government, and have no doubt that such measures will be pursued as are best calculated to secure us peace and tranquility, and at the same time preserve our national Honor from insult.

*Resolved*, That the Governor of this State be requested to transmit copies of the foregoing resolutions, to the President of the United States, to the Executives of the different States, and to our present Senators and Representatives in Congress.

WILLIAM LOGAN, S. H. R.

GREEN CLAY, S. S. P. T.

*Approved*, December 9, 1806.

CHRISTOPHER GREENUP, Governor  
of the Commonwealth of Kentucky.

By the Governor,

JOHN ROWAN, Secretary.

(Copy.)

*Attest*: JOHN ROWAN, Secretary.

Frankfort, (K.) January 3, 1807.

Sir,

I HAVE the honor, by direction of the Legislature, to enclose your Excellency a Resolution respecting some illegal exactions practised at the ports of Natchez and New Orleans, with a request that the same be submitted to the Legislature over which you preside.

I have the honor to be,

Sir,

Your very humble servant,

CHRISTOPHER GREENUP.



"KENTUCKY, ss.

IN GENERAL ASSEMBLY,

December 26, 1806.

Whereas it is represented to the present General Assembly, that the corporations of Natchez and New-Orleans assume to themselves, and do actually claim the right to tax flat-bottomed boats and other water drafts, conveying the produce of the western country to foreign markets, and necessarily compelled to land at or on the banks of the Mississippi river, contrary to the intent and spirit of the Constitution and laws of the Union, and thereby check and damp the spirit of enterprize in our western traders and exporters, and that the congressional collectors at one of those ports, are not uniform in their charges, but impose upon the ignorant and unwary, whose distance from their friends renders it impossible for them to seek redress.

*Resolved therefore,* That our Senators in Congress be instructed, and our Representatives be requested, to use their utmost exertions to procure a redress of such evils, so contrary to justice and repugnant to republicanism.

*Resolved also,* That the Governor be, and he is hereby requested to transmit copies of the foregoing resolution to each of our Senators and Representatives in Congress, and to the Executors of the States of Ohio, Pennsylvania, New-York and Virginia, with a request that they will lay it before their respective Legislatures.

WILLIAM LOGAN, S. H. R.

THOMAS POSEY, S. S.

(Copy)

*Attest.* JOHN ROWAN, *Secretary.*

Mr. Mitchell from the committee to whom was referred on the twenty-sixth instant, the bill, entitled "An act granting to Joseph Salmon, a tract of donation land, in remuneration for his services and sufferings during the revolutionary war," reported the said bill without amendment.

Mr. Sommer from the committee to whom was referred on the twenty-sixth instant, the bill, entitled "An act to prohibit the distilling and boiling of turpentine and oil, and the manufacturing of varnish, within the city of Philadelphia, and its neighbourhood," reported the said bill with one amendment, which was read as reported.

Mr. Pennell from the committee to whom was referred on the twenty-fourth instant, the bill, entitled "An act for the relief of divers purchasers of the confiscated estate of Harry Gordon, who were evicted from the same," reported the said bill with one amendment, which was read as reported.

The bill, entitled "An act to incorporate the marine and fire insurance company of Philadelphia," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Sommer in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill without amendment.

The Senate resumed in committee of the whole, (Mr. Wertz in the Chair) the consideration of the bill, entitled "An act for the relief of Christian Shockey," and

After some time spent therein,

The committee rose, and the Chairman reported the bill without amendment.

The bill, entitled "An act to promote the more speedy administration of justice," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Harris in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, reported progress, and had leave to sit again on Monday, the second day of February.

The bill, entitled "An act aiding the commissioners of Beaver county, to procure water in the borough of Beaver," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading,

The bill, entitled "An act authorizing the commissioners of Bedford and Indiana counties, to levy and collect county taxes for the years one thousand eight hundred and seven, and one thousand eight hundred and eight," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading,

The bill, entitled "An act to dissolve the marriage of Jacob Mayer and his wife;" was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Brady in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill with the first section negatived.

Thereupon, it was

Moved by Mr. Hart and Mr. Pennell,

That Senate proceed to the consideration of the report of the committee of the whole on said bill.

Which was not agreed to.

Adjourned till 11 o'clock, to-morrow morning.

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*Thursday, January 29, 1807.*

The Speaker laid before the Senate, an abstract of the accounts of the Cheltenham and Willow-grove turnpike company, from November, one thousand eight hundred and five, to November, one thousand eight hundred and six.

Amount of capital stock	-	\$ 80,800
Amount of tolls,	-	\$ 5,191 77

Amount of salaries to gate-keepers, repairs, &c.	1,372 79
Balance being the profits	3,818 98

Equal to four dollars and seventy-two cents, per cent.

Mr. Miller presented the petition of the surviving administratrix of the estate of Thomas Dill, deceased, the guardians of the minor children of said deceased, the widow of Caleb Dill, deceased, and others interested in the estate of the said Thomas Dill; stating, that difficulties have arisen in consequence of the death of the said Caleb, during the valuation of two small tracts of land under a decree of the orphans' court, and praying the interposition of the Legislature; and the said petition was twice read, and referred to Mr. Miller, Mr. Brady and Mr. Spangler, to consider and report thereon.

Mr. Dorsey presented the representation of the Chamber of Commerce, of the city of Philadelphia; stating, certain defects in the act for the establishment of a Board of Wardens, submitting amendments thereto, and requesting the attention of the Legislature; which was read, and

Laid upon the table.

Mr. Wayne presented the petition of Archibald M'Fall, representing that he enlisted early in the year 1775, in the service of his country, and faithfully fought in the Pennsylvania line in seven Campaigns; that he suffered a severe captivity and two wounds, that he never received either pension or land; he therefore prays the interposition of the Legislature; and the same was twice read, and referred to Mr. Wayne, Mr. Mitchell and Mr. Pennell, to consider and report thereon.

Mr. Dorsey from the committee to whom was referred, on the nineteenth ultimo, the representation of

the Medical professors of the university of Pennsylvania, made the following report, to wit :

That inasmuch as a search after the valuable botanic productions of our common country, and the ascertainment of their qualities and uses, in all the great variety proffered by nature for the benefit of man, cannot be carried into sufficient effect without aid, toward the outset and establishment thereof : And whereas, the Constitution of the State enjoins the promotion of science, the committee therefore recommend the following resolution :

Resolved, That a committee be appointed to bring in a bill, agreeably to the prayer of the memorialists.

The bill, entitled "An act aiding the commissioners of Beaver county to procure water in the borough of Beaver," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act to incorporate the Marine and Fire insurance company of Philadelphia," as reported by committee of the whole, yesterday, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act for the relief of divers purchasers of the confiscated estate of Harry Gordon, who were evicted from the same," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Hart in the Chair) for the further consideration thereof, and

After some time spent therein,

The committee rose, reported progress, and had leave to sit again to-morrow.

The bill, entitled "An act granting to Joseph Salmon a tract of donation land, in remuneration for his

services and sufferings during the revolutionary war," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Richards in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill without amendment.

The bill, entitled "An act to prohibit the distilling and boiling of turpentine and oil, and manufacturing of varnish, within the city of Philadelphia, and its neighborhood," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Vance in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and had leave to sit again on Monday, the ninth of February.

On motion,

The Senate resumed the consideration of the bill, entitled "An act authorizing the Secretary of the Commonwealth to procure an additional number of copies of Carey and Bioren's edition of the laws, with Bioren's continuation," postponed for the present on the twenty-third instant.

The motion of Mr. Vance and Mr. Poe, to wit: To strike out "three hundred" (the number of copies contemplated by the bill) and insert in place thereof "one hundred and fifty" recurring.

Mr. Sommer called for a division of the motion, to end with striking out.

Whereupon,

The question on striking out "three hundred" being put, was determined in the negative.

Thereupon,

The Yeas and Nays on adopting the section, were required by Mr. Vance and Mr. Pennell, and on the

question being put, the Members voted as follows, to wit:

## YEAS.

1. Mr. Brady,
2. Mr. Dorsey,
3. Mr. Harris,
4. Mr. Hart,
5. Mr. Heston,
6. Mr. Laird,
7. Mr. Lattimore,
8. Mr. M'Arthur,
9. Mr. Mewhorter,

## NAYS.

1. Mr. Martin,
2. Mr. Pennell,
3. Mr. Poe,

## YEAS.

10. Mr. Miller,
11. Mr. Mitchell,
12. Mr. Rahm,
13. Mr. Richards,
14. Mr. Slaymaker,
15. Mr. Sommer,
16. Mr. Wayne,
17. Mr. Wertz.

## NAYS.

4. Mr. Spangler,
5. Mr. Vance,
6. Mr. Lane, *Speaker.*

Seventeen Yeas and six Nays, by which it appeared that the question was determined in the affirmative.

The preamble and title being agreed to.

Ordered, That the said bill be prepared for the third reading.

On motion, the further consideration in committee of the whole of the bill, entitled "An act for the establishment of schools throughout this Commonwealth," was postponed for the present.

Adjourned 'till 11 o'clock, to-morrow morning.

*Friday, January 30, 1807.*

Mr. Pennell presented the memorial of the commissioners, of the incorporated part of the Northern-Liberties, in behalf of themselves and their constituents; stating certain defects in the act of incorporation, and soliciting the attention of the Legislature thereto; which was read, and

Laid upon the table.

Mr. Dorsey presented the memorial and remonstrance of the select and common Councils, of the city of Philadel-

phia, stating, they have heard with regret, that a petition has been presented to the Legislature, from certain "western citizens of the city of Philadelphia," praying, that the western parts thereof may be separated from the eastern; and that they may be exempted from taxes to be laid by the corporation of the city, and that certain powers of taxation should be granted to them, to enable them to improve their streets.

The select and common councils, state the injurious consequences which may result, should the prayer of the western citizens of Philadelphia be granted: They also represent the inadequacy of their revenues to the increased objects of improvement and consequent expenditure, and solicit power to raise a revenue from duties, on sales at auction, on concerts and theatres; and the said memorial was read, and

Laid upon the table.

Mr. Dorsey presented to the Chair, an abstract of the accounts of the Pennsylvania hospital, for one year, ending the eleventh day of April, one thousand eight hundred and six; which was read, and

Laid upon the table.

The bill, entitled "An act to incorporate the Marine and Fire insurance company of Philadelphia, was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act authorizing the Secretary of the Commonwealth, to procure an additional number of copies of Carey and Bioren's edition of the laws, with Bioren's continuation," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

On motion,



The Senate proceeded to the election of directors of the bank of Pennsylvania, (the Clerks were appointed tellers) and upon the votes being taken, it appeared, that Thomas Leiper, had thirteen votes; Jeremiah Piersol, thirteen votes; William Duane, twelve votes; Thomas Ross, twelve votes; Chandler Price, twelve votes; John Harrison, twelve votes; and Walter Franklin, one vote.

The following is a statement of the poll, to wit :

Messrs. Lane, *speaker*, Dorsey, Heister, Laird, Martin, M<sup>c</sup>Arthur, Mitchell, Pennell, Poe, Rahm, Spangler and Vance, voted for—*Thomas Leiper, John Harrison and William Duane.*

Messrs. Brady, Harris, Heston, Lattimore, Mayer, Mewhorter, Miller, Richards, Slaymaker, Sommer, Wayne and Wertz, voted for—*Jeremiah Piersol, Thomas Ross and Chandler Price.*

Mr. Hart, voted for—*Thomas Leiper, Jeremiah Piersol and Walter Franklin.*

The two first named gentlemen, (Thomas Leiper and Jeremiah Piersol) only having a majority of the votes, of the Members present; being chosen.

The Senate proceeded to the choice of the third director, of said bank.

The following is a statement of the poll.

Mr. Lane, *speaker*, voted for—*John Harrison.*

Messrs. Brady, Harris, Heston, Lattimore, Mayer, Mewhorter, Miller, Richards, Slaymaker, Sommer, Wayne and Wertz, voted for—*Thomas Ross.*

Messrs. Dorsey, Heister, Laird, Martin, M<sup>c</sup>Arthur, Mitchell, Pennell, Poe, Rahm, Spangler and Vance, voted for—*William Duane.*

Mr. Hart, voted for—*Chandler Price.*

From which it appeared, that Thomas Ross, had twelve votes; William Duane, eleven votes; Chandler Price, one vote; and John Harrison, one vote; and that neither person had a majority of the votes, of the Members present.

Whereupon,

The Senate again proceeded to the election of the third director.

The following is a statement of the poll.

Messrs. Lane, *speaker*, Dorsey, Heister, Laird, Martin, M'Arthur, Mitchell, Pennell, Poe, Rahm, Spangler and Vance, voted for—*William Duane*.

Messrs. Brady, Harris, Hart, Heston, Lattimore, Mayer, Mewhorter, Miller, Richards, Slaymaker, Sommer, Wayne and Wertz, voted for—*Chandler Price*.

From which it appeared, that Chandler Price, had thirteen votes; and William Duane, twelve votes; and that Chandler Price, was duly elected.

Thereupon,

The Speaker declared that Thomas Leiper, Jeremiah Piersol, and Chandler Price, were duly chosen directors of the bank of Pennsylvania, on the part of the Senate, for the present year.

On Motion,

The Senate proceeded to the election of directors, of the Philadelphia bank. (The Clerks Tellers.)

The following is a statement of the poll.

Messrs. Lane, *speaker*, Dorsey, Heister, Laird, Martin, M'Arthur, Mitchell, Pennell, Poe, Rahm, Spangler and Vance, voted for—*Henry Orth, Samuel Carswell, and Walter Franklin*.

Messrs. Brady, Harris, Heston, Lattimore, Mayer, Mewhorter, Miller, Richards, Slaymaker, Sommer, Wayne and Wertz, voted for—*Henry Orth, Samuel Meeker and Robert Harris, junior*.

Mr. Hart, voted for—*Henry Orth, Theophilus Harris and Samuel Smith*.

From which it appeared, that Henry Orth, had twenty-five votes; Samuel Carswell, twelve votes; Walter Franklin, twelve votes; Samuel Meeker, twelve votes; Robert Harris, junior, twelve votes; Theophilus Harris, one vote; and Samuel Smith, one vote; that Henry Orth, was duly elected, but neither of the other gentlemen had a majority of votes.

Whereupon,

The Senate proceeded to the choice of the remaining two directors, of the Philadelphia bank.

The following is a statement of the poll.

Messrs. Lane, *speaker*, Dorsey, Laird, Martin, M'Arthur, Mitchell, Pennell, Poe, Rahm, Spangler and Vance, voted for—*Samuel Carswell and Walter Franklin*.

Mr. Heister, voted for—*Samuel Carswell and Samuel Meeker*.

Messrs. Brady, Harris, Heston, Lattimore, Mayer, Mewhorter, Miller, Richards, Slaymaker, Sommer, Wayne and Wertz, voted for—*Robert Harris, junior, and Theophilus Harris*.

Mr. Hart, voted for—*Theophilus Harris and Samuel Smith*.

From which it appeared, that Theophilus Harris, had thirteen votes; Samuel Carswell, twelve votes; Robert Harris, junior, twelve votes; Walter Franklin, eleven votes; Samuel Smith, one vote; and Samuel Meeker, one vote; and that Theophilus Harris, was duly elected, but that neither of the other gentlemen had a majority of votes.

Thereupon,

The Senate proceeded to the election of the third director of said bank.

The following is a statement of the poll.

Messrs. Lane, *speaker*, Dorsey, Heister, Laird, Martin, M'Arthur, Mitchell, Pennell, Poe, Rahm, Spangler and Vance, voted for—*Samuel Carswell*.

Messrs. Brady, Harris, Hart, Heston, Lattimore, Mayer, Mewhorter, Miller, Richards, Slaymaker, Sommer, Wayne and Wertz, voted for—*Samuel Smith*.

From which it appeared, that Samuel Smith, had thirteen votes; and Samuel Carswell, twelve votes; and that Samuel Smith, was duly chosen.

Thereupon,

The Speaker declared, that Henry Orth, Theophilus Harris, and Samuel Smith, were duly chosen directors of the Philadelphia bank, on the part of the Senate, for the present year.

The report of the committee on the subject of the claim of Alexander Robinson, read on the twentieth instant, was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Richards in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the resolution attached to the said report, negatived.

Thereupon,

The Yeas and Nays on adopting the report of the committee of the whole, were required by Mr. Wayne and Mr. Miller, and the question, being put, the Members voted as follow, to wit:

YEAS.

1. Mr. Hart,
2. Mr. Heister,
3. Mr. Heston,
4. Mr. Laird,
5. Mr. Lattimore,
6. Mr. Martin,

YEAS.

7. Mr. Mayer,
8. Mr. M'Arthur,
9. Mr. Pennell,
10. Mr. Richards,
11. Mr. Vance,
12. Mr. Lane, *Speaker*.

NAYS.

1. Mr. Brady,
2. Mr. Dorsey,
3. Mr. Harris,
4. Mr. Mewhorter,
5. Mr. Miller,
6. Mr. Mitchell,
7. Mr. Poe,

NAYS.

8. Mr. Rahm,
9. Mr. Slaymaker,
10. Mr. Sommer,
11. Mr. Spangler,
12. Mr. Wayne,
13. Mr. Wertz.

Twelve Yeas and thirteen Nays, by which it appeared that the question was determined in the negative, and the resolution, to wit:

"Resolved, That a committee be appointed to bring in a bill, authorizing the accounting officers to settle the full amount of said certificate, with interest thereon, from the date thereof, for the use of the said Robinson," being again under consideration, was on motion postponed for the present.

Adjourned 'till 11 o'clock, to-morrow morning.

*Saturday, January 31, 1807.*

Mr. Miller from the committee to whom was, yesterday, referred the petition of the surviving administratrix, of the estate of Thomas Dill, deceased, &c. made report, as follows, to wit:

That they have taken the subject matter of the petition into their consideration, and from the best information they are able to obtain, are led to believe, from the situation at least of one of the tracts mentioned in their petition, that as it lies on the main road, leading from York to Carlisle, at or adjoining the place well known by the name of Dillstown, in the county of York: That the said tract being small, is so cut up with public roads passing through it, as in a great measure to render it incapable of being cultivated as a farm, and it being represented by the aforesaid petitioners to your committee, that a town-plot has been made thereon, which if they were enabled to sell out in lots, would afford a profit much more advantageous to the widow and minor's children, aforesaid: Your committee, from the foregoing considerations, are induced to submit the following resolution, viz.

Resolved, That a committee be appointed to bring in a bill embracing the foregoing principles.

Whereupon,

On motion and by special order,

The said report was again read, and the resolution attached thereto considered and adopted.

Ordered, That the committee who brought in the report, bring in a bill agreeably thereto.

The bill, entitled "An act for the relief of Thomas Campbell, of Franklin county," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Hart in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill with amendments, which were read as reported.

On motion,

The Senate resumed in committee of the whole, (Mr. Hart in the Chair) the consideration of the bill, entitled "An act for the relief of divers purchasers of the confiscated estate of Harry Gordon, who were evicted from the same," and

After some time spent therein,

The committee rose, and the Chairman reported the bill with amendments, which were read as reported.

The bill, entitled "An act to encourage the killing of squirrels and crows, in certain parts of this Commonwealth," as reported by committee of the whole, on the nineteenth instant, was considered by section.

Section I, being under consideration.

A motion was made by Mr. Wertz and Mr. Mewhorter, to amend the section, by striking "Bedford county" from the provisions of the section.

Which was not agreed to.

On motion of Mr. M'Arthur and Mr. Vance.

Agreed, That the counties of "Armstrong, Indiana, Mercer, Crawford, Erie, Venango" be inserted.

Whereupon,

The Yeas and Nays on adopting the section, as amended, were required by Mr. Hart and Mr. Wertz, and on the question being put, the Members voted as follow, to wit:

#### YEAS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Hart,
4. Mr. Laird,
5. Mr. Lattimore,
6. Mr. Martin,
7. Mr. M'Arthur,
8. Mr. Mewhorter,

#### YEAS.

9. Mr. Miller,
10. Mr. Pennell,
11. Mr. Rahm,
12. Mr. Slaymaker,
13. Mr. Spangler,
14. Mr. Vance,
15. Mr. Wayne,
16. Mr. Lane, *Speaker*.

## NAYS.

1. Mr. Dorsey,
2. Mr. Heston,
3. Mr. Mitchell,

## NAYS.

4. Mr. Poe,
5. Mr. Sommer,
6. Mr. Wertz.

Sixteen Yeas and six Nays, by which it appeared that the question was determined in the affirmative.

Section II, being under consideration.

A motion was made by Mr. Vance and Mr. M'Arthur, that the provision for obliging the person who may kill any squirrels or crows, to make oath or affirmation thereto, be stricken out, and the proof thereof be confined to the delivery of the scalps of the squirrels and crows to the justice.

Whereupon,

A motion was made by Mr. Wayne and Mr. Brady, that the further consideration of the subject be postponed for the present.

Which was agreed to.

Mr. M'Arthur asked, and obtained leave of absence for Mr. Slaymaker for two days.

Adjourned till 11 o'clock, Monday morning.

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## *Monday, February 2, 1807.*

Mr. M'Arthur presented the petition of the subscribers thereto, inhabitants of the county of Crawford, stating, their approbation of the recommendation of the Governor, on the improvement of roads; that the roads in that part of the State where the petitioners reside, are in a bad situation; that the country is consequently impeded in settlement and improvement: They therefore pray the aid of the Legislature; and the said petition was read, and

Laid upon the table.

Mr. Mayer presented the petition of the trustees of the English Presbyterian congregation, in Donegall township, Lancaster county, praying for an act, authorizing them to raise by way of lottery, four thousand dollars, to

enable them to build a house for the residence of their clergyman, and a school-house; and the same was read, and

Laid upon the table.

Mr. M'Arthur from the committee to whom was referred, on the eighth and twelfth of December last, the fifth item of the report on the Governor's address, and the first item of the report of unfinished business; (both on the subject of roads) reported the bill, entitled "An act making appropriations for the repair of public roads, in several of the counties of this Commonwealth," which was read the first time.

Mr. Laird from the committee to whom was referred, on the seventh of January, the resolution respecting the dockets of justices of the peace, on leave now given, reported the bill, entitled "An act directing the manner in which the dockets of justices of the peace of this Commonwealth shall be acted on, whose commissions have or heretofore may be vacated by death, resignation, removal from office, or otherwise," which was read the first time.

Mr. Harris from the committee to whom was referred, on the twenty-third ultimo, the petition of Thomas Gallaher, made the following report, to wit:

That they have had the same under consideration, by which it appears, that the petitioner gave early proofs of his patriotism in the late revolutionary war, having marched as a militia man in the year 1776, and afterwards in the year 1778. In his first campaign, he was at the battle of Long-Island; in his second, he was in the battle of Crooked-Billet, where he was severely wounded and made prisoner; that he never received any compensation for his services, save his monthly pay in a depreciated currency: Your committee therefore offer the following resolution:

Resolved, That a committee be appointed to bring in a bill, granting to Thomas Gallaher, a pension of dollars per month, during his life.



The bill, entitled "An act for the relief of Thomas Campbell, of Franklin county," as reported by committee of the whole, on the thirty-first ultimo, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act for the relief of divers purchasers of the confiscated estate of Harry Gordon, who were evicted from the same," as reported by committee of the whole, on the thirty-first ultimo, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "A supplement to the act, entitled "An act to encourage the patenting of lands, and for other purposes," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Harris in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, reported progress, and had leave to sit again on Monday, the ninth instant.

The Clerk of the House of Representatives presented for concurrence, the bill and resolution, entitled as follow, viz.

"An act to enable Abraham Reist and Jacob Hostetter, to sell and convey a certain lot of ground therein mentioned."

"Resolution for the distribution of the seventh volume of Bioren's edition of the laws, and of certain laws of the United States."

He returned the bill, entitled "An act for the relief of Isaac Ely," and informed that the House of Representatives have passed the same without amendment.

And he presented for signature, the bills and resolution, entitled as follow, to wit:

1. "An act for the relief of James Mitchell."

2. "A further supplement to the act, entitled "An act to provide for the erection of a house for the employment and support of the poor, in the county of York."

"Resolution respecting the publication of laws of a public or general nature in newspapers."

Whereupon,

The Speaker signed the said bills and resolution.

The bill and resolution, presented for concurrence, were severally read the first time.

Mr. Pennell, asked and obtained, leave of absence for Mr. Dorsey, for a few days.

That part of the message from the Governor, together with the documents appurtenant thereto, respecting the illegal exactions practised in the ports of Natchez and New-Orleans, read on the twenty-eighth ultimo, were again read, and referred to Mr. Pennell, Mr. Wayne, Mr. Vance, Mr. Brady and Mr. Martin, to consider and report thereon.

The Senate resumed the consideration of the bill, entitled "An act to encourage the killing of squirrels and crows, in certain parts of this Commonwealth," postponed for the present, on the thirty-first ultimo.

The motion of Mr. Vance and Mr. M'Arthur, to amend section II, recurring.

And being under consideration.

The question on agreeing thereto, being put, was determined in the affirmative, and the section, as amended, was adopted.

The remaining sections, with the title of the bill, being agreed to.

Ordered, That it be prepared for the third reading.

Adjourned 'till 11 o'clock, to-morrow morning.

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*Tuesday, February 3, 1807.*

Mr. Mitchell presented the petition of the subscribers thereto, citizens of Millerstown and its neighbourhood, in the county of Cumberland; stating, that they have seen with regret, a bill reported in the House of Representatives, entitled "An act for the erection of a house

for the employment and support of the poor, in the county of Cumberland," that the operation of such an act would be oppressive and injurious; they therefore pray, that said bill may not be enacted into a law; and the said petition was read, and

Laid upon the table.

Mr. Pennell from the committee to whom was referred, on the eighth December, the sixth item of the report on the Governor's address, on the subject of the militia, and the memorial of the commissioned officers of the first division of the militia, made report, as follows, to wit :

That they have given the subject due and deliberate consideration, and are of opinion that various alterations and amendments are necessary to the present militia law : Therefore,

Resolved, That a committee be appointed to bring in a bill for that purpose.

The bill, entitled " An act for the relief of Thomas Campbell, of Franklin county," was read the third time.

Whereupon,

The Yeas and Nays on the passage of the said bill, were required by Mr. Pennell and Mr. Mewhorter, and on the question, "*Shall this bill pass?*" being put, the Members voted as follow, to wit :

#### YEAS.

1. Mr. Brady,
2. Mr. Laird,
3. Mr. Lattimore,
4. Mr. Martin,
5. Mr. M'Arthur,

#### YEAS.

6. Mr. Mitchell,
7. Mr. Poe,
8. Mr. Rahm,
9. Mr. Vance.

#### NAYS.

1. Mr. Harris,
2. Mr. Hart,
3. Mr. Heister,
4. Mr. Heston,
5. Mr. Mayer,
6. Mr. Mewhorter,
7. Mr. Miller,

#### NAYS.

8. Mr. Pennell,
9. Mr. Sommer,
10. Mr. Spangler,
11. Mr. Wayne,
12. Mr. Wertz,
13. Mr. Lane, *Speaker*.

Nine Yeas and thirteen Nays, by which it appeared that the question was determined in the negative, and so the bill was lost.

The bill, entitled "An act for the relief of divers purchasers of the confiscated estate of Harry Gordon, who were evicted from the same," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with one amendment, in which the concurrence of that House is requested; which amendment is as follows, to wit:

Section I, line 27, strike out "two thousand five hundred and forty-two" and insert "one thousand two hundred" in place thereof.

The bill, entitled "An act to encourage the killing of squirrels and crows, in certain parts of this Commonwealth," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence of that House is requested; which amendments are as follow, to wit:

Section I, line 6, between the words "Indiana Fayette" introduce "Mercer, Crawford, Erie, Venango"

Section II, strike out from the word "act" in line 3, to the word "justice" in line 8, and insert in place thereof "upon producing the scalps for the same, to any justice of the peace, said"

Strike out from the word "received" in line 12, to the word "which" in line 14.

On motion of Mr. Wayne and Mr. Pennell,

The Senate resumed the consideration of the bill, entitled

led "An act relating to the State-treasurer," postponed for the present on the fifth ultimo.

The consideration of section I, recurring.

The question on agreeing thereto, being put, was determined in the negative, and so the bill was lost.

On motion of Mr. Harris and Mr. Wayne.

The Senate resumed the consideration of the bill, entitled "An act authorizing the Governor to incorporate a company, for making an artificial road from Harrisburg, through Lewistown and Huntingdon, to Pittsburg," postponed for the present, on the twenty-fourth ultimo.

The consideration of section I, recurring.

A motion was made by Mr. Brady and Mr. Wertz, to amend the section, by fixing the route from "Harrisburg, through Lewistown, Huntingdon, Ebensburg and Indiana, to Kittaning, on the Allegheny river."

Whereupon,

After debate,

The Yeas and Nays, on agreeing to the amendment, were required by Mr. Wertz and Mr. M'Arthur, and on the question, being put, the Members voted as follow, to wit:

#### YEAS.

1. Mr. Brady,
2. Mr. Laird,
3. Mr. Miller,

#### NAYS.

1. Mr. Harris,
2. Mr. Hart,
3. Mr. Heister,
4. Mr. Heston,
5. Mr. Lattimore,
6. Mr. Martin,
7. Mr. Mayer,
8. Mr. M'Arthur,

#### YEAS.

4. Mr. Poe,
5. Mr. Wertz,
6. Mr. Lane, *Speaker.*

#### NAYS.

9. Mr. Mewhorter,
10. Mr. Mitchell,
11. Mr. Pennell,
12. Mr. Rahm,
13. Mr. Sommer,
14. Mr. Spangler,
15. Mr. Vance,
16. Mr. Wayne.

Six Yeas and sixteen Nays, by which it appeared that the question was determined in the negative.

On motion of Mr. Harris and Mr. Mitchell,

Agreed, That "William Findley, John Pomroy,

Peter Wallace and John Kuhns," be added to the commissioners, for procuring subscriptions in Westmoreland county, and that the number of shares for that county, be two hundred.

On motion of Mr. Harris and Mr. Mitchell.

Agreed, That the sum to be paid upon subscribing be "three" instead of "five" dollars.

The section as amended was adopted.

The remaining section, with the title of the bill, being agreed to.

Ordered, That the said bill be prepared for the third reading.

On motion of Mr. Wayne and Mr. Vance.

Agreed, That Senate will meet at 10 o'clock in the morning, of each day, during the remainder of the session.

Adjourned 'till 10 o'clock to-morrow morning.

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*Wednesday* February 4, 1807.

Mr. Wayne presented the petition of Francis Johnston, late Receiver-General of the land-office, stating, that in the course of the exercise of the duties of the said office, he employed a certain William Clark, as one of his clerks; a man whose character was considered to be unimpeachable, as the said Clark, had held very responsible situations in other offices before the petitioner employed him; that in consequence of the said Clark, having fallen into vicious company, the petitioner determined to discharge him, and for this purpose he called the said Clark to an account for the certificates and money, with which, from the nature of his duties he was necessarily entrusted; that thereupon the said Clark, absconded and carried with him, a large sum in certificates belonging to the State, which the petitioner was answerable for, and did actually pay into the State-treasury, certificates equivalent thereto in value: He therefore prays the reimbursement of the value thus stolen from him; and the said petition was twice read, and referred to Mr. Wayne,

Mr. Heston and Mr. Lattimore, to consider and report thereon, by bill or otherwise.

The bill, entitled "An act authorizing the Governor to incorporate a company, for making an artificial road from Harrisburg through Lewistown and Huntingdon, to Pittsburg," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

On motion,

The Senate resumed in committee of the whole, (Mr. Pennell in the Chair) the consideration of the bill entitled "An act to authorize and empower Hannah Smith, widow of Clifford Smith, deceased, to sell and convey a house and lot in Pottstown, in the county of Montgomery, and for other purposes therein mentioned," and

After some time spent therein,

The committee rose, and the Chairman reported the bill with the first section negatived.

Whereupon, on motion,

The report of the committee of the whole on the said bill was considered, and adopted, and so the bill lost.

On motion,

The Senate resumed the consideration of the bill, entitled "An act declaring the middle of the river Monongahela, the division between the counties adjoining the same," postponed for the present on the twelfth ultimo.

The motion of Mr. Wayne and Mr. Wertz, "to strike out the proviso" recurring.

After debate, it was

Moved by Mr. Heston and Mr. M'Arthur, and

Agreed, That the further consideration of the subject be postponed for the present.

The bill, entitled "An act for the relief of William

Sherrard," was read the second time, considered by section and agreed to,

Ordered, That it be prepared for the third reading.

The "petition of the trustees of the Presbyterian congregation, of Donegall township, Lancaster county, praying for a lottery," read on the second instant, was again read.

Whereupon, it was

Moved by Mr. Mayer and Mr. M'Arthur.

That the said petition be referred to a committee to consider and report thereon,

Which was not agreed to.

The bill, entitled "An act authorizing the commissioners of Bedford and Indiana counties, to levy and collect county taxes for the years one thousand eight hundred and seven, and one thousand eight hundred and eight," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act granting to Joseph Salmon a tract of donation land, in remuneration for his services and sufferings during the revolutionary war," as reported by committee of the whole, on the twenty-ninth ultimo, was considered by section.

Section I, being under consideration.

The question, on agreeing thereto, being put, was determined in the negative, and so the bill was lost.

The Clerk of the House of Representatives, returned the bill, entitled "An act authorizing the Secretary of the Commonwealth, to procure an additional number of copies of Carey and Bioren's edition of the laws, with Bioren's continuation."

And informed that the House of Representatives have passed the same without amendment.

He also informed, that the House of Representatives



have concurred in the amendments by Senate, on the bills, entitled as follow, to wit :

1. " An act for the relief of divers purchasers of the confiscated estate of Harry Gordon, who were evicted from the same."

2. " An act to encourage the killing of squirrels and crows, in certain parts of this Commonwealth ;" excepting the first amendment on the last mentioned bill, to wit :

Section I, between the words " Indiana Fayette," introduce " Mercer, Crawford, Erie, Venango" in which they do not concur.

And he presented for signature, the bill, entitled " An act aiding the commissioners of Beaver county, to procure water in the borough of Beaver."

Whereupon,

The Speaker signed the said bill.

The bill, entitled " An act for the relief of Christian Shockey," as reported by committee of the whole, on the twenty-eighth ultimo, was considered by section.

Section I, being under consideration.

A motion was made by Mr Wayne and Mr. Hart, to amend the section, by striking out the provision for the payment of the annuity immediately to Christian Shockey, and in lieu thereof insert the following, to wit :

" That an annuity of forty dollars be granted for the use of Christian Shockey, to be paid to Alexander Ogle, his executor or executors, administrator or administrators, or his or their lawful attorney, to commence from the first day of January, one thousand eight hundred and seven, and to be paid half yearly, to the said Alexander Ogle, or his executor or executors, administrator or administrators, or his or their lawful attorney, on warrants to be drawn by the Governor, on the State-treasurer, which annuity shall be expended by the said Alexander Ogle, his executor or executors, administrator or administrators, in providing clothing, diet and lodging for the said Christian Shockey ; and it shall and hereby is made the duty of the said Alexander Ogle, his executor or executors, administrator or administrators, or his or their lawful attor-

ney, to make an annual return to the orphans' court of Somerset county, on oath or affirmation, how and in what manner he or they have executed the trust in him or them confided by this act."

The question on the amendment, being put, was determined in the affirmative.

Whereupon,

The question on adopting the section, as amended, being put, was determined in the negative, and so the bill was lost.

Adjourned till 10 o'clock, to-morrow morning.

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*Thursday, February 5, 1807.*

Mr. Mitchell from the committee appointed for that purpose, on the second ultimo, reported the bill, entitled "An act authorizing the President of the United States, to open a road through that part of this State, lying between Cumberland, in the State of Maryland, and the river Ohio," which was read the first time.

Mr. Mitchell from the committee appointed for that purpose, on the sixth ultimo, reported the bill, entitled "An act for the relief of John Huton," which was read the first time.

The bill, entitled "An act for the relief of William Sherrard," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

On motion of Mr. Wayne and Mr. Miller, (Members who voted with the majority.)

Agreed, That the Senate reconsider the question on agreeing to the first (and only) section of the bill, entitled "An act granting to Joseph Salmon, a tract of

donation land, in remuneration for his services and sufferings during the revolutionary war."

Thereupon,

The section of the said bill being under consideration.

The Yeas and Nays on agreeing thereto, were required by Mr. Heston and Mr. Pennell, and on the question, being put, the Members voted as follow, to wit :

## YEAS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Hart,
4. Mr. Heister,
5. Mr. Laird,
6. Mr. Martin,
7. Mr. M<sup>r</sup>Arthur,
8. Mr. Miller,

## YEAS.

9. Mr. Mitchell,
10. Mr. Poe,
11. Mr. Rahm,
12. Mr. Slaymaker,
13. Mr. Sommer,
14. Mr. Vance,
15. Mr. Wayne,
16. Mr. Wertz.

## NAYS.

1. Mr. Heston,
2. Mr. Lattimore,
3. Mr. Mayer,

## NAYS.

4. Mr. Mewhorter,
5. Mr. Pennell,
6. Mr. Lane, *Speaker*.

Sixteen Yeas and six Nays, by which it appeared that the question was determined in the affirmative.

The preamble and title being agreed to.

Ordered, That the said bill be prepared for the third reading.

The bill, entitled "An act for the removal of the powder magazine from the city of Philadelphia," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Sommer in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, reported progress, and had leave to sit again, on Saturday the seventh instant.

The bill, entitled "An act to enable Abraham Reist and Jacob Hostetter, to sell and convey a certain lot of ground therein mentioned," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Vance in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill without amendment,

The bill, entitled "An act to provide for the erection of a house for the employment and support of the poor, in the county of Cumberland," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, reported progress, and asked leave to sit again.

Which was not agreed to.

Whereupon,

On motion of Mr. Mitchell and Mr. Martin,

Agreed, That the said bill be recommended to the consideration of Senate at their next session.

The Clerk of the House of Representatives presented for concurrence, two bills. entitled as follow, to wit:

1. "An act to raise by way of lottery sundry sums of money, for the purposes therein mentioned."

2. "An act to enable Jonathan Mifflin, to convey part of a certain tract of land therein mentioned," which were read the first time.

On motion of Mr. Wayne and Mr. Sommer,

The report of the committee of the whole, (which negatived the first and only section) on the bill, entitled "An act to dissolve the marriage of Jacob

Mayer and his wife," read on the twenty-eighth ultimo, was again read.

And being under consideration.

The Yeas and Nays on adopting the report, were required by Mr. Hart and Mr. Wayne, and on the question, being put, the Members voted as follow, to wit :

## YEAS.

1. Mr. Hart,
2. Mr. Heister,
3. Mr. Martin,
4. Mr. M'Arthur,
5. Mr. Mewhorter,
6. Mr. Mitchell,

## NAYS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Heston,
4. Mr. Laird,
5. Mr. Lattimore,

## YEAS.

7. Mr. Pennell,
8. Mr. Rahm,
9. Mr. Vance,
10. Mr. Wayne,
11. Mr. Wertz,
12. Mr. Lane, *Speaker.*

## NAYS, .

6. Mr. Mayer,
7. Mr. Miller,
8. Mr. Poe,
9. Mr. Slaymaker,
10. Mr. Sommer.

Twelve Yeas and ten Nays, by which it appeared that the question was determined in the affirmative, and so the bill was lost.

The message from the House of Representatives, informing that that House have concurred in all the amendments by the Senate, except the first, on the bill, entitled "An act to encourage the killing of squirrels and crows, in certain parts of this Commonwealth," was again read.

Whereupon,

Resolved, That Senate recede from their said amendment; and

Ordered, That the Clerk acquaint the House of Representatives thereof.

Adjourned till 10 o'clock, to-morrow morning.

*Friday, February 6, 1807.*

Mr. M'Arthur presented the petition of the trustees of the public seminary of learning, in the town of Meadville, Crawford county, praying, for an act of incorporation; and the same was twice read, and referred to Mr. M'Arthur, Mr. Slaymaker and Mr. Mayer, to consider and report thereon.

Mr. Laird presented the petition of the subscribers thereto, summoned as a grand jury of the county of Northumberland; stating, they have observed with much satisfaction the endeavours of the Legislature, to render law suits more speedy and less expensive, and approve in particular the establishment of a supreme court at Pittsburg, for the determination of legal questions, heretofore reserved for argument at Philadelphia :

The petitioners further state, that the system would be complete, in this respect, if a similar provision were made for the town of Sunbury, so as to accommodate the other parts of the back country.

The petitioners also pray, for the attention of the Legislature, to the situation of the roads throughout the State; and the same was twice read, and referred to Mr. Laird, Mr. Poe, Mr. Lattimore, Mr. Harris and Mr. Brady, to consider and report thereon.

Mr. Wertz from the committee to whom was recommended, on the seventeenth ultimo, the report of the committee on the letter of Henry Grimler, reported the "Resolution directing the printing of six hundred copies in the English language, of the reports of the Treasurer and Register-general, and four hundred copies of the same reports in the German language," which was read the first time.

Mr. Wayne from the committee to whom was referred, on the twenty-ninth ultimo, the petition of Archibald M'Fall, on leave now given, reported the bill,

entitled "An act for the relief of Archibald McFall," which was read the first time.

Mr. Slaymaker from the committee to whom was referred, on the twenty-seventh ultimo, the memorial of the subscribers thereto, relative to a turnpike from the Philadelphia and Lancaster turnpike, to the line of the State of Delaware, on leave now given, reported the bill, entitled "An act to authorize the Governor of this Commonwealth, to incorporate a company for making an artificial road from the Philadelphia and Lancaster turnpike road, in Lancaster county, at or near the Gap tavern, and to extend thence the nearest and best practicable course by Cochran's, Chatham and Chandler's taverns, to the line of the State of Delaware, so as to communicate with a contemplated artificial road to extend thence the nearest and best practicable course to Newport, on Christiana creek, in the State of Delaware, to be authorized by a law of that State," which was read the first time.

The Clerk of the House of Representatives presented for signature, four bills, entitled as follow, to wit:

1. "An act for the relief of Isaac Ely."
2. "An act for the relief of divers purchasers of the confiscated estate of Harry Gordon, who were evicted from the same."
3. "An act authorizing the commissioners of Bedford and Indiana counties, to levy and collect county taxes for the years one thousand eight hundred and seven, and one thousand eight hundred and eight."
4. "An act authorizing the Secretary of the Commonwealth to procure an additional number of copies of Carey and Bioren's edition of the laws, with Bioren's continuation."

Whereupon.

The Speaker signed the said bills.

The bill, entitled "An act granting to Joseph Salmon, a tract of donation land, in remuneration for his services and sufferings during the revolutionary war," was read third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act to enable Abraham Reist and Jacob Hostetter, to sell and convey a certain lot of ground therein mentioned," as reported by committee of the whole, yesterday, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled An act to raise by way of lottery, sundry sums of money for the purposes therein mentioned," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Hart in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill without amendment.

The report of the committee, on the petition of Thomas Gallaher, read on the second instant, was again read, and the resolution attached thereto adopted, to wit:

Resolved, That a committee be appointed to bring in a bill, granting to Thomas Gallaher, a pension of dollars per month, during his life.

Ordered, That the committee who brought in the report, be the committee for that purpose.

Adjourned 'till 10 o'clock, to-morrow morning.

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Saturday, February 7, 1807.

Mr. Pennell presented the memorial of the president and directors of the bank of Pennsylvania, stating, that they have been informed, that a bill has been introduced into the House of Representatives, entitled "An act to,



raise a public revenue, and to appropriate the same," which contains principles and provisions, deeply interesting to that bank, and the holders of its stock. The memorialists state, in detail, the injurious effects which the said bill would have if passed into a law, and moreover, that such an act would in their opinion be a violation of the privileges granted to the said bank by the act of incorporation: They therefore remonstrate against the same; and the said memorial was read, and

Laid upon the table.

The Clerk of the House of Representatives, presented for concurrence, two bills, entitled as follow, to wit:

1. "An act for the relief of Charles Thompson."

2. "An act to regulate the fisheries in the river Susquehanna and its branches," which were severally read the first time.

The bill, entitled "An act to enable Abraham Reist and Jacob Hostetter, to sell and convey a certain lot of ground therein mentioned," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act to raise by way of lottery sundry sums of money, for the purposes therein mentioned," as reported by committee of the whole, yesterday, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

On motion of Mr. Mitchell and Mr. Heston.

Agreed, That the further consideration in committee of the whole, of the bill, entitled "An act for the removal of the powder magazine from the city of Philadelphia," be postponed for the present.

Mr. Miller from the committee, appointed for that purpose, made report:

That the committee, in conjunction with the committee of the House of Representatives, yesterday, present-

ed to the Governor for his approbation, the bills and resolution as follow, to wit :

1. " An act to enable aliens, in certain cases, to purchase and hold real estates within this Commonwealth."
  2. " An act authorizing certain trustees to sell and convey a certain plantation and tract of land, in Chester county, being the joint property of the Annabaptist congregation in Vincent township, and the congregation of St. Peter's church, in Tredyffrin township."
  3. " A further supplement to the act, entitled " An act to provide for the erection of a house for the employment and support of the poor, in the county of York."
  4. " An act for the relief of James Mitchell."
  5. " An act for the relief Isaac Ely."
  6. " An act aiding the commissioners of Beaver county, in procureing water in the borough of Beaver."
  7. " An act authorizing the commissioners of Bedford and Indiana counties, to levy and collect county taxes, for the years one thousand eight hundred and seven, and one thousand eight hundred and eight."
  8. " An act authorizing the Secretary of the Commonwealth, to procure an additional number of copies of Carey and Bioren's edition of the laws, with Bioren's continuation."
  9. " An act for the relief of divers purchasers of the confiscated estate of Harry Gordon, who were evicted from the same."
- " A resolution for the publication of laws, of a general nature in the newspapers."

Adjourned till 10 o'clock, Monday morning.

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*Monday, February 9, 1807.*

The Speaker laid before the Senate the report of the President and Managers of the Chesnut-hill and Spring-house turnpike road, from which the following particulars are abstracted, to wit :

Amount of monies received from the stockholders,  
\$ 70,000

Amount of expenditures on  
the road, - - - \$ 67,012 36

Surplus vested in the stock  
of the United States, 2,987 64  

---

70,000

Amount of tolls from the 13th  
October, one thousand eight  
hundred and four, to No-  
vember, 4th, one thousand  
eight hundred and six, \$ 5,723 42

Interest on United States stock,  
the property of the company, 480  

---

6,203 42

Amount of dividends, - \$ 5,299  
Gate-keepers, &c. 993 30

\$ 6,292 30  
Due the president, &c. 88 88  

---

\$ 6,203 42

Mr. Vance presented the petition of the subscribers thereto, inhabitants of Fayette county; stating, that they view with regret the opposition given to the late report of the commissioners, appointed by the President of the United States, under an act of Congress for viewing a national road from Cumberland to the Ohio, and by him communicated through the Governor to the Legislature of this State, and fearing that the representations on this subject from some parts of the western country, may be considered as the general sentiments of the citizens of that part of the State, which is not the case: The petitioners therefore deem it to be their duty to resist all endeavours to procrastinate the proceedings of the Legislature, in affording their assent to that part of the proposed turnpike which is to pass through this State; and the same was read and referred to the committee of the

whole, when that committee shall have under consideration the bill, entitled "An act authorizing the President of the United States, to open a road through that part of this State, lying between Cumberland in the State of Maryland, and the Ohio river."

Mr. Dorsey presented the memorial of the president and directors of the bank of North-America,\* stating, that as guardians of the institution confided to their management, it is their duty to preserve unaltered and unimpaired its rights and privileges, as established and confirmed by charter; to remonstrate against every attempt to violate it, and to assert its constitutional and legal exemption from any abridgment of such rights and privileges. These, the memorialists apprehend are very materially implicated in the provisions of the bill now before the House of Representatives, entitled "An act to raise a public revenue and to appropriate the same." The memorialists state at large, the objections which in their opinion exists to the enactment of such a law, and therefore remonstrate against it; and the same was read, and

Laid upon the table.

Mr. Harris presented the petition of the subscribers thereto, inhabitants of the middle counties of Pennsylvania; stating, that they are subject to great vexations and delay in the administration of justice, occasioned by the

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*\* Description of Stockholders in the Bank of North-America.*

	<i>Shares.</i>
1. Widows and other unmarried women, minors and charitable institutions	544.
2. Merchants and shopkeepers, in city and liberties	201
3. Mechanics and manufacturers	376
4. Persons out of the limits of the city and suburbs, but not foreigners	451
5. Foreigners, to wit: Residing in Holland	276
in Great-Britain	13
	289
Total number of Shares	1861

appeals being heard and determined in Philadelphia ; they therefore pray that a middle district may be formed for the holding of the supreme court at Bellefont, or that some other convenient county town be fixed on for holding of the court ; and the said petition was twice read, and referred to the committee to whom was referred on the sixth instant, a petition on the same subject from Northumberland county.

Mr. M'Arthur presented the petition of the subscribers thereto, inhabitants of Meadville, in the county of Crawford, praying to be enabled by law, to raise by way of lottery the sum of six thousand dollars to further the system of education, improve the said town, and promote the society of domestic manufactures ; and the said petition was read, and

Laid upon the table.

Mr. Wayne from the committee to whom was referred, on the fourth instant, the petition of Francis Johnston, on leave then given, reported the bill, entitled "An act for the relief of Francis Johnston," which was read the first time.

Mr. Miller from the committee to whom was referred, on the eleventh of December last, the report of James Ross and James Hopkins, on the subject of the supposed Manor of Springetsbury, made report, as follows, to wit :

That they have carefully examined the bill of exceptions referred to in the said report, together with every document and every fact which it was in their power to procure, and which they conceived necessary to enable them to form a correct opinion on a question of such moment, where the interests of a respectable portion of our own citizens are at variance, with the demands of a powerful and influential agent of the proprietor, and where it is also supposed this Commonwealth is concerned.

Before they proceed to give any opinion on this question, it may not be unprofitable to bring into view a number of facts, which they have collected, and from whence their deductions if not fairly drawn, will be there.

by exposed to detection, and in doing this they shall only enter into such a detail of this history as to a right understanding of the subject, appears indispensable.

It is a fact well known in Pennsylvania, that by royal charter granted to William Penn, by Charles the second, he became vested with the absolute fee simple to the soil of Pennsylvania, and that it has descended to the present heirs, who now claim by a regular succession is not disputed: During a period of about thirteen years, viz. From the death of the said William Penn, which happened in the year 1718, until 1731, there existed a dispute amongst the heirs of the said Penn, as to the legal ownership of the land, during which period the Land-office was shut, and settlers could procure no evidence of title but settled by permission: In the mean time a controversy which had long existed between the proprietors of Pennsylvania and Maryland broke out into open hostilities, which circumstance rendered it more necessary on the part of the proprietor of Pennsylvania, to cultivate a friendly disposition with the natives, and at the same time to encourage settlements; for which purpose William Keith, Governor, issued, on the eighteenth of June, 1722, the warrant of survey for the manor of Springettsbury, and had it surveyed by metes and bounds, containing seventy-five thousand acres, declaring it to be for the use of Springet Penn, and had it returned to Governor and Council. The Council declared they had nothing to do with it, as it did not come before them, the survey therefore never was returned into the office of the Secretary of the Land-office.

Thomas Penn, having arrived in the province as Governor on the eleventh of January, one thousand seven hundred and thirty-three; matters being now adjusted and settled between the heirs, he by his commission, reciting that settlements had been made on licences granted on lands to the westward of Susquehanna, but that no warrants had yet issued, authorized Samuel Blunston, to grant licences to such as might apply for settlements in those parts.

Again in one thousand seven hundred and thirty-six, Thomas Penn being in Lancaster, granted licences to different persons to the amount of about twelve thousand acres, reciting that it lay within the bounds of a tract of land surveyed under a warrant of the twentieth of June, one thousand seven hundred and twenty-two, called the manor of Springetsbury.

On the twenty-first of May, 1762, the warrant called the resurvey issued ; This instrument among other things recognizes the Proprietors tenths, and also that the original survey had been lost or mislaid. This warrant was not laid untill the thirtyeth of June, 1768, during this time, from the date of the warrant untill the return of the survey into the office, and not till then, most part of the titles issued ; and although the warrants, a greater part of which mentioned the grant on the common terms, yet we find from that period up to the revolution many of them were changed for warrants, or orders, to agree, by which a fixed and ascertained price is exchanged for an uncertain adjustment at a future day.

From a view therefore of the foregoing facts the committee are led to draw the following conclusion, as necessarily resulting therefrom.

That the original chartered title of the proprietor being conceded, their right to appropriate lands to their own use flowed from this, as its true and proper source, and if it was their interest to encourage population and settlement on their lands, they had a right to erect an office and lay down the rules and regulations for the government of those, who might wish to become settlers, and reserving, to themselves a right to appropriate one tenth part of the whole to themselves for their own private use, or to dispose of it at any future period on different terms to others, if they thought proper. From hence it follows, that all persons, complying with the terms thus held out, acquired a right to the proportion of land thus appropriated, not only against the individuals who might

also against the proprietor himself, unless he had previously, by some act of public notoriety evidenced his intention of making a special appropriation of it to his own use. This the committee conceive was his design in relation to the first, as well as the second survey, denominated the manor of Springetsbury. If then the proprietor has the absolute title to all unappropriated land, and if each individual can produce his claim, not only against any other person claiming the same, but also against the proprietor himself, they would ask What possible injury can arise to any person in running the boundary line whether he be included within, or excluded by it, so that it dose not affect the grant or terms under which he settled and holds? Nor can the committee conceive there is any good reason to say that the proprietor had not a right to dispose of all lands not previously granted, on such other terms as he might think best for his own private purpose, or, if he should please to cast off the whole or any part of any former survey, for the express purpose of throwing off bad land or of taking in better: or of executing another different in form and extent, provided it dose not go to change the condition or terms of any former grant.

It has been exhibited to the Legislature by individuals within this supposed manor, as a subject of complaint, that in many instances where settlements were made, and no fixed price settled, that the proprietor now demands the full price of the land at its present value: To which the committee would remark, that they cannot view the lines or boundaries of this manor, as it respects either the one or the other survey, or the act of the State in what is called the divesting act, as in any wise affecting their condition. This act reserves to the proprietor all his lands which were regularly surveyed, called or known by the name of his manors or tenths, and returned into the Surveyor-generals office before the fourth of July, 1776.



comes fairly within the letter and meaning of the act of Assembly, and whatever might have been the condition of individuals before, and however variously circumstanced, their condition could not be changed by that or any subsequent act of any future Legislature, as it respects the claim of the proprietor or that of any individual within either of the lines of survey aforementioned.

It is further represented as matter of complaint, that owing to the unsettled state of things as it regarded the titles to lands, and not knowing in whom the right resided, whether in the State or in the proprietor many persons were deterred from completing their titles with the latter, from a fear that in a future day they might be compelled to take their title from the State, being thereby subjected to double payment. This we think is a suspicion not well founded: If indeed the State had ever signified, even in the most remote degree, this to have been their intention it might afford some plea; but so far otherwise has the fact been that though often reminded by them of what they considered their right within those limits; notwithstanding which the State has never expressed any disposition to lay hold on them as such, but on the contrary has already disclaimed them, when called on for that purpose.

It is further urged, that they as citizens in common with others have contributed their proportion of the purchase money paid the proprietor for his other lands, and that they derive no benefit therefrom, and are now left to struggle in their own defence with a powerful opponent; to which the committee would reply, that the State had no hand in placing them in this their unfortunate condition; and as to the payment of their proportion of the purchase, it is one of those unavoidable inequalities which ever will in many instances take place in a state of society under the most equal administration of justice. The committee further think themselves justified in adding that the assistance already afforded by enabling them to defend the suits, which have been commenced

against them by the agent of the proprietor, has been yielded more from a disposition to comply with their pressing solicitations, urged in the nature of just claim, than from any well founded belief that it would procure them any relief, and that even the aid thus granted them the committee must be permitted to say, does not appear to have been prosecuted with that ardour which, it would have been expected from persons so circumstanced as they represent, and having so great an interest in defending.

The committee at the same time they feel a concern for any portion of their fellow citizens, when subjected to inconveniences or burthens, of a nature different from others and which claims relief, yet considering this question in every possible point of view in which they are capable of considering it, are fully persuaded that to prosecute this suit any further would be a useless expenditure of the public money, and would be attended with no better success than they have heretofore experienced: Under this impression the committee are induced to offer the following resolution, viz.

Resolved, That it would not be expedient to give any further aid in defending this cause in the supreme court of the United States.

Mr. Harris from the committee appointed for that purpose, on the sixth instant, reported the bill, entitled "An act for the relief of Thomas Gallagher," which was read the first time.

The bill, entitled An act to raise by way of lottery, sundry sums of money for the purposes therein mentioned," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

On motion,

The further consideration in committee of the whole, of the bill, entitled "An act to prohibit the distilling

and boiling of turpentine and oil, and the manufacturing of varnish within the city of Philadelphia, and its neighbourhood," was postponed for the present.

On motion,

The further consideration in committee of the whole, on the bill, entitled "A supplement to the act entitled "An act to encourage the patenting of lands and for other purposes," was postponed for the present.

The "Resolution for the distribution of the seventh volume of Bioren's edition of the laws, and of certain laws of the United States," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the resolution without amendment.

The Clerk of the House of Representatives presented for concurrence, five bills, entitled as follow, to wit:

1. "An act to incorporate the Philadelphia society for the encouragement of domestic manufactures,"

2. "An act enabling Anna Maria Hanke, the wife of Matthew Hanke, late Anna Maria Eyerly, widow and relict of Jacob Eyerly, junior, late of Nazareth, in the county of Northampton, deceased, and administratrix *de bonis non*, of the said Jacob Eyerly, junior, with the Will annexed, to convey certain lands therein mentioned."

3. "An act for the relief of Doctor Samuel Edmiston."

4. "An act for the relief of Andrew Patterson."

5. "An act for the relief of Gasper Driver."

And he presented for signature, the bill, entitled "An act granting to Joseph Salmon, a tract of donation land, in remuneration for his services and sufferings during the revolutionary war."

The Speaker signed the said bill.

The bills presented for concurrence were severally read the first time.

The representation of the chamber of commerce, read on the twenty-ninth ultimo, was again read, and referred to Mr. Dorsey, Mr. Sommer and Mr. Pennell, to consider and report thereon.

The bill, entitled "An act to provide for the enumeration of the taxable inhabitants and slaves, within this Commonwealth," as reported by committee of the whole, on the twentieth ultimo, was considered by section.

Section I, being under consideration.

A motion was made by Mr. Poe and Mr. Laird, to amend the section by making it the duty of the commissioners on or before the first of October next, instead of the first of June, to proceed on their duties under the act.

Whereupon, on motion,

The further consideration of the subject was postponed for the present.

Adjourned 'till 10 o'clock, to-morrow morning.

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*Tuesday, February 10, 1807.*

Mr. Dorsey from the committee to whom was referred, on the twentieth January last, the petition of James Ralston, made the following report:

That in their opinion the prayer of the petitioner ought to be granted, for the reason that he was in the actual performance of duties in behalf of this Commonwealth, as enjoined on him, in situations where he could not be informed of the repeal of the law, which authorized such duties. The petitioner having supported his statement, by proper documents, the committee therefore recommend, that a committee be appointed to bring in a bill

for the remuneration of the said James Madison, for that period of his services which the repeal of the law deprives him of.

The "Resolution for the distribution of the seventh volume of Bioren's edition of the laws, and of certain laws of the United States," as reported by committee of the whole, yesterday, was taken up for further consideration.

Whereupon,

A motion was made by Mr. Wayne and Mr. Mitchell, to amend the resolution by inserting a provision, directing that the Deputy-Secretary of the Commonwealth, shall be furnished with one copy of Carey and Bioren's edition with Bioren's continuation.

- Which was agreed to, and the resolution as amended adopted.

Ordered, That the said resolution be returned to the House of Representatives, with information that Senate have adopted the same with an amendment, in which the concurrence of that House is requested.

The bill, entitled "An act to enable Jonathan Mifflin, to convey part of a certain tract of land therein mentioned," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Brady in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, the Chairman reported progress, and had leave to sit again to-morrow.

The bill, entitled "An act making appropriations for the repair of public roads, in several counties of this Commonwealth," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Dorsey in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and had leave to sit again on the seventeenth instant.

The Secretary of the commonwealth presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN.

I HAVE, this day, approved and signed the following acts of the General Assembly, and directed the Secretary to return the same to the respective Houses in which they originated.

1. "An act to enable aliens, in certain cases, to purchase and hold real estate within this Commonwealth."

2. "An act authorizing certain trustees to sell and convey a plantation or tract of land, in Chester county, being the joint property of the Annabaptist congregation in Vincent township, and the congregation of St. Peter's church, in Tredyffrin township."

3. "An act for the relief of James Mitchell."

4. "An act for the relief of divers purchasers of the confiscated estate of Harry Gordon, who were evicted from the same."

5. "An act aiding the commissioners of Beaver county, to procure water in the borough of Beaver."

6. "An act authorizing the commissioners of Bedford and Indiana counties, to levy and collect county taxes, for the years one thousand eight hundred seven, and eight."

7. "A further supplement to the act, entitled "An act to provide for the erection of a house for the employment and support of the poor, in the county of York."

8. "An act for the relief Isaac Ely."

9. "An act authorizing the Secretary of the Commonwealth, to procure an additional number of copies of Carey and Bioren's edition of the laws, with Bioren's continuation."

THOMAS M'KEAN.

*Lancaster, February 10, 1807.*

The "Resolution directing the printing of six hundred additional copies in the English language, of the reports of the Treasurer and Register-general, and four hundred copies of same reports in the German language," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Harris in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the resolution with amendments, which were read as reported.

The bill, entitled "An act for the relief of Charles Thompson," was read the second time, and referred to Mr. Sommer, Mr. Harris and Mr. Rahm, to consider and report thereon.

On motion of Mr. Wertz and Mr. Sommer,

Adjourned 'till 11 o'clock, to-morrow morning.

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*Wednesday* February 11, 1807.

The Clerk of the House of Representatives, informed the Senate that that House have concurred in the amendment by Senate, to the "Resolution for the distribution of the seventh volume of Bioren's edition of the laws and of certain laws of the United States."

Mr. Dorsey presented the memorial of the subscribers thereto, representing the several incorporated insurance companies of the State of Pennsylvania; stating, that the bill, entitled "An act to raise a public revenue and to appropriate the same," now before the Legislature, coming under the inspection of the memorialists, has excited in them the most lively solicitude: As the memorialists are disposed to pay the highest deference to the fiscal arrangements which the Legislature may propose, they would not on common occasions appear in the char-

acter of remonstrants against the proceedings of the Legislature ; in the present instance, however, acting not for themselves alone, but intrusted by a numerous body of their fellow citizens with the care of their property, they feel themselves impelled, for the reasons stated in the memorial, to remonstrate against the passing of the said bill ; and the same was read, and

Laid upon the table.

Mr. Wayne presented the memorial of Robert E. Griffith, surviving partner of Philip Nicklin, deceased, Juliana Nicklin, widow and administratrix of the said Philip Nicklin, and natural guardian of his minor children, and Benjamin Chew, junior, administrator of the said Philip Nicklin ; sating, certain difficulties which have arisen in consequence of the sudden death of the said Nicklin, as to the sale and disposition of the real estate of the partnership, and praying for Legislative aid ; and the same was read, and

Laid upon the table.

Mr. Dorsey, on leave given, laid upon the table a copy of the ordinances of the corporation of the city of Philadelphia, presented by the select and common councils for the use of the Senate.

Mr. Sommer asked, and obtained leave of absence for Mr. Hart, for a few days.

The " Resolution directing the printing of six hundred additional copies in the English language, of the reports of the State-treasurer and Register-general, and four hundred copies of the same reports in the German language," as reported yesterday, by committee of the whole, was taken up for further consideration.

A motion was made by Mr. Wertz and Mr. Sommer, to amend the resolution, by striking out " twenty dollars " the price per sheet for the printing, and inserting " seven-teen dollars " in lieu thereof,

Which was agreed to, and the resolution as amended adopted.

Ordered, That it be presented to the House of Representatives for concurrence.



The bill, entitled "An act directing the manner in which the dockets of justices of the peace of this Commonwealth, shall be acted on, whose commissions have, or hereafter may be vacated by death, resignation, removal from office or otherwise," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Dorsey in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill with amendments, which were read as reported.

The further consideration in committee of the whole, of the bill, entitled "An act to enable Jonathan Mifflin to convey part of a certain tract of land therein mentioned," was postponed for the present.

The bill, entitled "An act to regulate the fisheries in the river Susquehanna and its branches," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. M'Arthur in the Chair) for the further consideration thereof; and

After some time the committee rose, reported progress, and had leave to sit again on the thirteenth instant.

The bill, entitled "An act for the relief of Andrew Patterson," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Sommer in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill without amendment.

The Clerk of the House of Representatives, presented for signature, three bills, and a resolution, entitled as follow, to wit:

1. "An act to raise by way of lottery, sundry sums of money for the purposes therein mentioned."

2. "An act to encourage the killing of squirrels and crows, in certain parts of this Commonwealth."

3. "An act to enable Abraham Reist and Jacob Hostetter, to sell and convey a certain lot of ground therein mentioned."

4. "Resolution for the distribution of the seventh volume of Bioren's edition, and one copy of Carey and Bioren's edition of the laws of this Commonwealth, and of certain laws of the United States."

He presented for concurrence, the bill, entitled "An act to enable James Maris and Samuel Davis, administrators to the estate of Thomas West, deceased, to sell and convey certain real estate therein mentioned."

And he returned the bill, entitled "An act authorizing the Governor to incorporate a company, for making an artificial road from Harrisburg, through Lewistown and Huntingdon, to Pittsburg," and informed, that the House of Representatives have passed the same with amendments, in which the concurrence of Senate is requested.

The amendments are as follow, to wit:

In section I, line 5, strike out the word "and" and after the word "Huntingdon" insert "Waterstreet, Hollidaysburg and Ebensburg"

Lines 14 and 15, strike out the name "Daniel Messersmith" and insert "George D. B. Kime"

In line 19, after the name "Moore" insert "of Alexandria"

Line 20, after the word "county" insert "Joseph Lilly, Thomas Phillips"

21, make the name "John D. Evans" read "John J. Evans"

22, after the word "county" insert "James Martin"

26, after the name "M'Farland" insert "Thomas N. Sloane"

Line 28, After the name "Chapman" introduce "Jeremiah Murray and William Johnston"

42, Between the words "Huntingdon to" insert "Waterstreet, Hollidaysburg and Ebensburg" make the same amendment wherever it may be necessary throughout the bill.

58, strike out the word "opened" and insert in place thereof "shall have subscribed therein respectively, as follows, viz."

In same line strike out the words "shall have" and wherever else they shall occur throughout the section.

59, strike out the words "subscribed therein the books opened"

75, strike out the words "subscribed therein"

In section II, line 40, strike out the word "and" and after the word "Juniata" insert "and Big Conemaugh"

Title—Strike out the word "and" and between the words "Huntingdon to" insert "Waterstreet, Hollidaysburg and Ebensburg"

The Speaker signed the bills and resolution, presented for signature.

The bill presented for concurrence, was read the first time.

On motion,

The committee to whom was referred, the representation and memorial of the select and common councils of the city of Philadelphia, relative to the powder magazine; was discharged from the further consideration thereof.

On motion,

The Senate resumed the consideration of the bill, entitled "An act to provide for the enumeration of the taxable inhabitants and slaves within this Commonwealth."

The consideration of the motion, of Mr. Poe and Mr. Laird, recurring.

After debate,

A motion was made by Mr. Vance and Mr. Brady, and Agreed, That the said bill be referred to a committee, to consider and report thereon.

Ordered, That Mr. Vance, Mr. Brady and Mr. Sommer, be the committee for that purpose.

Adjourned till 11 o'clock, to-morrow morning.

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## Thursday, February 12, 1807.

The Speaker laid before the Senate, a letter signed John Keating, for himself and in behalf of John Sigismond Roulet and Richard Gernon; stating, in the proposals made by them on the seventeenth December, for the county town of M'Kean, they designed to grant 150 acres in a regular contiguous body, in tract No. 2,065, for the support of a school-master; and that the present communication is intended as an explanation of the said proposals; and the said letter was read, and

Laid upon the table.

Mr. Vance from the committee to whom was, yesterday referred, the bill, entitled "An act to provide for the enumeration of the taxable inhabitants and slaves within this Commonwealth," reported the said bill with amendments, which were read as reported.

Mr. Dorsey from the committee to whom was referred, on the thirty-first December, the memorial of the medical professors of the University of Pennsylvania, on leave now given, reported the bill, entitled "A supplement to the act, entitled "An act for the incorporation of the College of physicians of Philadelphia," which was read the first time.


The Secretary of the Commonwealth presented a message from the Governor, together with the documents referred to therein.

The message and documents were severally read, as follow, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I SUBMIT to the respective Houses, copies of a resolution of the General Assembly of Maryland, relative



to the prohibiting the importation of slaves into the United States, transmitted to me by his Excellency, Governor Wright; and also, of a resolution of the General Assembly of the State of New-Jersey, on the subject of a proposed amendment to the Constitution of the United States, relative to the judiciary power, communicated by his Excellency Governor Bloomfield.

THOMAS M'KEAN.

*Lancaster, February 12, 1807.*

(CIRCULAR.)

COUNCIL CHAMBER,

*Annapolis, January 22, 1807.*

SIR,

IN obedience to the request of the General Assembly of Maryland, I transmit to your Excellency a copy of a resolution, instructing their Senators and Representatives in Congress, as soon as may be practicable, to prohibit the importation of slaves into the United States, from the coasts of Africa, the West-Indies, or elsewhere: Hoping that the Legislature of your State, will follow their humane example.

I have the honor to be,

With great respect,

Your Excellency's most obedient servant,

ROBERT WRIGHT.

*His Excellency,*  
Governor M'KEAN.

*By the General Assembly of Maryland.*

*Resolved*, That our Senators in the Congress of the United States be instructed, and our Representatives requested, to take all legal and necessary measures, to use their utmost exertions, as soon as the same may be practicable, to prohibit the importation of slaves into the United States, from the coast of Africa, the West-Indies, or elsewhere.

*Resolved*, That the Governor be, and he is hereby requested to transmit copies of the foregoing resolution, to

subject to the disposition of the Legislature: *Provided always*, That if the said canal shall not be completed within twenty years from the passing of this act, the State shall not be considered as pledged for the payment of the aforesaid sum of three hundred thousand dollars."

Number the remaining sections accordingly.

The bill, entitled "An act authorizing the President of the United States, to open a road through that part of this State, lying between Cumberland in the State of Maryland, and the Ohio river," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Richards in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported progress, and had leave to sit again on Monday the sixteenth instant.

The Clerk of the House of Representatives presented for concurrence, two bills, entitled as follow; to wit:

1. "An act to provide for the erection of a house for the employment and support of the poor, in the county of Franklin."

2. "An act granting to the trustees of the University of Pennsylvania, a sum of money for the purpose of enabling them to establish a botanical garden," which were severally read the first time.

The bill, entitled "An act for the relief of Thomas Gallagher," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill without amendment.

Adjourned till 11 o'clock, to-morrow morning.

least likely to be biassed by local interest, or the least influenced by local attachments.

In all controversies wherein citizens or subjects of foreign nations may be concerned, and in which a denial or perversion of justice may by the laws of nations be deemed a just cause of war, it follows as a natural consequence that the decision can only be confided with safety to those tribunals which are responsible to the people by impeachment, by their representatives in Congress, for any such denial or perversion by which the peace of the United States may be endangered.

It is reasonable to believe, that the uniformity of decisions in the federal courts, will be far more likely to preserve tranquility in our foreign relations than the contrary and jarring opinions of State judiciaries however respectable: From such uniformity the citizens of the several States, may confidently expect the most perfect security to their property; an advantage which will amply compensate for the inconveniences which may be sustained by any particular State.

From these considerations, and the danger to be apprehended from frequent changes of the Constitution, which in the opinion of the committee can only be justified by the most evident and urgent necessity, they deem it inexpedient to assent to the proposed amendment, and submit the following resolution.

*Resolved*, That the Governor be requested to write to the Executives of each State in the Union, and inform them of the determination of the General Assembly of this State, on the subject of the proposed amendment.

Which report was read and agreed to, by the House.

*Extract from the Minutes.*

JAMES J. WILSON, *Clerk*.

January 27, 1807.

Mr. Laird from the committee to whom was referred, on the sixth and ninth instant, the petition of the subscribers thereto, summoned as a grand-jury of the county of Northumberland, "and the petition of the subscribers thereto, inhabitants of the middle counties of Pennsylvania," made the following report:

- That having taken into consideration, the subject referred to them, are of opinion the prayer of said petitioners ought to be granted: They therefore offer the following resolution,

Resolved, That a committee be appointed to bring in a bill in conformity to the prayer of the petitioners.

The bill, entitled "An act for the relief of Andrew Patterson," as reported by committee of the whole, yesterday, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The Clerk of the House of Representatives, returned the bill, entitled "An act for the relief of William Sherard," and informed that the House of Representatives have passed the said bill with one amendment, to wit:

Preamble, line 2, strike out the words "and heir at law"

And he presented for concurrence, three bills, entitled as follow, to wit:

1. A supplement to "An act authorizing the Governor to incorporate a company, for making an artificial road from Harrisburg, to Pittsburg."

2. "An act for the relief of the representatives of John Fromberger, deceased."

3. "An act for the relief of Abraham Griffiths," which were severally read the first time.

The bill, entitled "An act for the relief of Archibald M'Fall," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill without amendment.

On motion,

The third order of the day, for to-morrow, to wit:

The further consideration in committee of the whole, of the bill entitled "An act to regulate the fisheries in the river Susquehanna and its branches," was discharged.



Whereupon,

On motion of Mr. Wayne and Mr. Sommer.

The Senate resumed the consideration in committee of the whole, (Mr. M'Arthur in the Chair) of the said bill; and

After some time spent therein,

The committee rose, and the Chairman reported the bill with amendments, which were read as reported.

On motion, and by special order,

The bill, entitled "An act for the relief of the representatives of John Fromberger, deceased," was read the second time, and referred to the committee, to whom was referred, on the tenth instant, the bill, entitled "An act for the relief of Charles Thompson."

On motion, and by special order,

The amendment by the House of Representatives, on the bill, entitled "An act for the relief of William Sherard," was twice read, considered and concurred.

Ordered, That the Clerk acquaint the House of Representatives thereof.

Mr. Laird asked, and obtained leave of absence for Mr. Poe, for a few days.

Mr. M'Arthur asked, and obtained leave of absence for Mr. Martin, for a few days.

Adjourned 'till 11 o'clock, to-morrow morning.

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*Friday, February 13, 1807.*

Mr. Harris presented the petition of James Smith, of the county of Lycoming; stating, that he enlisted with Colonel Cox, of Dauphin county, in 1776, and afterwards entered as a private soldier in the Flying-Camp: That he was taken prisoner at Fort Washington, in November of the same year: That he remained in confinement during the winter, and was liberated in the spring following, upon the condition that he would not serve against the British till exchanged,

subject to the disposition of the Legislature: *Provided always*, That if the said canal shall not be completed within twenty years from the passing of this act, the State shall not be considered as pledged for the payment of the aforesaid sum of three hundred thousand dollars."

Number the remaining sections accordingly.

The bill, entitled "An act authorizing the President of the United States, to open a road through that part of this State, lying between Cumberland in the State of Maryland, and the Ohio river," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Richards in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported progress, and had leave to sit again on Monday the sixteenth instant.

The Clerk of the House of Representatives presented for concurrence, two bills, entitled as follow; to wit:

1. "An act to provide for the erection of a house for the employment and support of the poor, in the county of Franklin."

2. "An act granting to the trustees of the University of Pennsylvania, a sum of money for the purpose of enabling them to establish a botanical garden," which were severally read the first time.

The bill, entitled "An act for the relief of Thomas Gallagher," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill without amendment.

Adjourned till 11 o'clock, to-morrow morning.

**Saturday, February 14, 1807.**

The bill, entitled "An act for the relief of Archibald M'Fall," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The Clerk of the House of Representatives, presented for concurrence, two bills, entitled as follow, to wit:

1. "A supplement to the act, entitled "An act to provide for the erection a house for the employment and support of the poor, in the county of Dauphin."

2. "An act declaring part of Brush creek, in the county of Bedford, and parts of Allegheny river and Oswaye and Conondau creeks, in the counties of Potter and M'Kean, public streams or highways," which were severally read the first time.

The bill, entitled "An act for the relief of Thomas Gallagher," as reported, yesterday, by committee of the whole, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act for the relief of John Huton," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill with amendments, which was read as reported.

The bill, entitled "An act for the relief of Doctor Samuel Edmiston," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Dorsey in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill without amendment.

The report of the committee on the petition of James Ralston, read on the tenth instant, was again read, considered, and the resolution attached thereto adopted, to wit:

That a committee be appointed to bring in a bill, for the remuneration of the said James Ralston, for that period of his services which the repeal of the law deprives him of.

Ordered, That the committee who brought in the report, be the committee for that purpose.

The amendments by the House of Representatives, on the bill, entitled "An act authorizing the Governor to incorporate a company, for making an artificial road from Harrisburg, through Lewistown and Huntingdon, to Pittsburg," read on the eleventh instant, were again read, considered and concurred in; except the amendment which fixes "Waterstreet, Hollidaysburg and Ebensburg" as points in said road:

Which was disagreed to.

Ordered, That the Clerk acquaint the House of Representatives accordingly.

The petition of the subscribers thereto, inhabitants of the county of Crawford, respecting roads, read on the second instant, was again read, and referred to Mr. M'Arthur, Mr. Mayer and Mr. Slaymaker, to consider and report thereon.

The petition of the subscribers thereto, inhabitants of Meadville, in the county of Crawford, praying for a lottery; read on the ninth instant, was again read, and referred to the same committee, to consider and report thereon.

The amendments by the House of Representatives, on the bill, entitled "A supplement to the act, entitled "An act to enable the Governor of this Commonwealth, to incorporate a company for opening a canal and lock navigation, between the rivers Schuylkill and

Susquehanna, by the waters of Tulpehocken, Quittapahilla and Swatara, in the counties of Berks and Dauphin," read yesterday, were again read, considered and concurred in.

Ordered, That the Clerk acquaint the House of Representatives thereof.

The bill, entitled "An act for the relief of Abraham Griffiths," was read the second time, and referred to Mr. Harris, Mr. Brady and Mr. Miller, to consider and report thereon.

Adjourned 'till 11 o'clock, Monday morning.

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## Monday, February 16, 1807.

The Secretary of the Commonwealth presented a message from the Governor; (together with the resolution and objections therein referred to) the message and objections, were read as follow:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I HAVE considered the Resolution, relative to the publication of laws of a general nature, in newspapers, and as it does not meet my approbation, have directed it to be returned to the Senate, in which it originated, under the following objections.

1. Because it unites the Legislative and Executive functions in the same persons. This it is conceived contravenes both the spirit and letter of the Constitution. That instrument was predicated upon the principle, that the separation of the great powers of government, legislative, executive and judicial was essential to freedom; and in its texture we find the most sedulous attention manifested to effect that object. This vital principle of republican government, I think

it my duty to endeavour to preserve inviolate, it obliges me to forego the gratification I always receive, in harmonizing in sentiment with the branches of the Legislature.

2. Because it is believed to be inexpedient modifications of known powers, so as to divert the ordinary courses in which they are exercised extraordinary ones, ought to propose advantages gained which would warrant the change. It is conceived that the proposed Resolution contemplating fining powers supposed too indefinite, (in which I thought advisable I would cheerfully concur) by substituting the opinion of a committee upon the subject, instead of that of the known public. By this, unity of action would be hazarded: visions might take place, that would prevent the promulgation of the Laws.

THOMAS M'KIM

*Lancaster, February 16, 1807.*

Whereupon,

Agreeably to the Constitution in such cases the Senate proceeded to reconsider the said resolution.

And after some time,

A motion was made by Mr. Mitchell Harris, to postpone the further consideration till Thursday next, the nineteenth instant.

Which was agreed to.

Mr. Harris presented the petition of the settlers thereto, inhabitants of Centre county, praying Bald-Eagle creek may be declared a public road from the town of Milesburg, up the said distance of about eight miles, to the plantation of Joseph Williams; and the same was read, and

Laid upon the table.

Mr. Dorsey presented the petition of Charles D. Dorsey; stating, that he became legally possessed of a certain forfeited estate, containing fifty-eight acres and thirty-five perches of land, situate in the township of Philadelphia, which had been confiscated as

erty of Joseph Griswold. That he was on the fourteenth of April, 1806, in due form of law evicted from the premises, he therefore prays relief; and the same was read, and referred to the committee of the whole, when that committee shall have under consideration the bill, entitled "An act for the relief of Charles Thompson."

Mr. Dorsey also presented the petition of the grandchildren, great grand-children and heirs of Captain Joseph Stiles, late of Philadelphia, deceased; stating, that the said Stiles undertook to collect certain State-taxes on behalf of Daniel Drais, to whom the collecting those taxes was confided: That owing to the default of the said Daniel Drais, and his subsequent death, leaving no property, a considerable sum of said taxes have been lost. That the estate of the said Stiles being liable for the delinquency of the said Drais, his personal estate has been applied to the payment thereof, and that there now remains but a small balance which they pray to be exonerated from; and the same was read, and

Laid upon the table.

Mr. M'Arthur from the committee to whom was referred, on the fourteenth instant, the petition of the subscribers thereto, inhabitants of Crawford county, respecting roads, and the petition of the subscribers thereto, inhabitants of Meadville, respecting a lottery, on leave now given, reported, in part, to wit: The bill, entitled "An act for raising by way of lottery the sum of six thousand dollars, for defraying the expence of making an aqueduct to conduct water into the town of Meadville, and for other purposes," which was read the first time.

Mr. Dorsey from the committee appointed for that purpose, on the fourteenth instant, reported the bill, entitled "An act for the relief of James Ralston," which was read the first time.

The Clerk of the House of Representatives, returned the bill, entitled "An act appointing a trustee in Cen-

the county," and informed, that the House of Representatives have passed the same without amendment.

The bill, entitled "An act for the relief of Thomas Gallagher," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act for the relief of John Huton," as reported by committee of the whole, on Saturday last, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act for the relief of Doctor Samuel Edmiston," as reported by committee of the whole, yesterday, was considered by section and agreed to.

Ordered, That the said bill be prepared for the third reading.

The bill, entitled "An act enabling Anna Maria Hanke, the wife of Matthew Hanke, late Anna Maria Eyerly, widow and relict of Jacob Eyerly, junior, late of Nazareth, in the county of Northampton, deceased, and administratrix *de bonis non*, of the said Jacob Eyerly, junior, with the Will annexed, to convey certain lands therein mentioned," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Dorsey in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill with amendments, which were read as reported.

The Senate resumed in committee of the whole, (Mr. Richards in the Chair) the consideration of the bill, entitled "An act authorizing the President of the United States, to open a road through that part of this State, lying between Cumberland in the State of Maryland, and the Ohio river," and



After some time spent therein,

The committee rose, the Chairman reported progress, and had leave to sit again on Monday the twenty-third instant.

On motion of Mr. Wayne and Mr. Mitchell.

Adjourned 'till 10 o'clock, to-morrow morning.

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## *Tuesday, February 17, 1807.*

The Clerk of the House of Representatives informed, that that House do insist on their amendment not concurred in by Senate, to the bill, entitled "An act authorizing the Governor to incorporate a company, for making an artificial road from Harrisburg, through Lewistown and Huntingdon, to Pittsburg," viz. To retain the words "Waterstreet, Hollidaysburg and Ebensburg"

And he presented for signature, the bill, entitled "An act for the relief of Andrew Patterson."

Whereupon,

The Speaker signed the said bill.

Mr. Brady from the committee to whom referred on the twelfth December last, the thirteenth item of the report of unfinished business, to wit: The petition of Timothy Matlack, formerly Clerk of the Senate, made report, which was read as follows, to wit:

That they have given the subject a deliberate and impartial investigation, and find that the principle part of the claim is founded on an act, passed the twenty-second of April, 1794; fixing an allowance of five hundred dollars per annum to the Clerks of the Senate and House of Representatives, to commence from the time of their respective appointments; and it appears that Mr. Matlack was chosen Clerk of the Senate, in the year 1790, and continued in that situation until the year 1794, without being annually re-appointed as he ought to have been, he therefore could not be

considered legally the Clerk of the Senate, for any but the first of the above years, as no Senate could choose officers for a succeeding House. During the above period, however, Mr. Matlack acted in the capacity of Clerk, and must have been continued by common consent, and has received such allowance as each Senate thought to be just, and by an act of the thirteenth of April, 1791, daily pay is allowed, and whatever more Senate may think proper to allow their Clerk annually; and it appears by a reference to the Journals for those years which Mr. Matlack claims, that Senate have yearly given him his daily pay and allowance, and it also appears, that Mr. Matlack never thought of making the charge, which he now (by a reference to the Journal, from the year 1794, until 1800) does, until he was called on by a special committee appointed by Senate, for the settlement of his accounts with them; money being placed in his hands for the contingencies of Senate, which he never accounted for although frequently requested by the committee, until a suit was commenced by the Comptroller-general under the direction of Senate: Further, by a reference being had to the Journals, from the year 1790, until 1800; (the time Mr. Matlack, served as Clerk) that he received \$11,462 67; on an average, \$1146 per year; more by about 170 dollars per year, than is received at present by the Clerk. The committee are therefore of opinion, that Mr. Matlack, has no legal claim to annual allowance for the years, between December 1790, and December 1793; and are fully persuaded, that if there is any thing due to him for money advanced by him, to defray the contingent expences of any former Senate, or for any balance of daily pay that yet remains unsettled; that on his making application and producing his vouchers to the committee of accounts, it will be as impartially settled as by any jury of the country, the Senate having no interest but to do justice to their own or the officers of any former Senate; and therefore it is not reasonable that Mr. Mat-

lack, should be authorized by law to institute a suit against the Commonwealth.

Therefore,

Resolved, That Mr. Matlack have leave to withdraw his petition.

Mr. Dorsey from the committee to whom was referred, on the ninth instant, the representation of the chamber of commerce, of the city of Philadelphia, respecting the defects in the act establishing the board of wardens, on leave now given, reported the bill, entitled "An act to alter and amend an act to establish a board of wardens for the port of Philadelphia, and for the regulation of pilots and pilotage, and for other purposes therein mentioned," which was read the first time.

Mr. Harris from the committee to whom was referred, on the thirteenth instant, the petition of James Smith, made report, as follows, to wit:

That they have considered the same, and find that the petitioner was a soldier of the Flying-Camp, was taken prisoner at Fort Washington, in November, 1776. He represents that he remained a prisoner until March, 1777, that he was greatly debilitated by sickness and did not reach his home until the month of April, and has never received any compensation for the time he remained a prisoner. The committee are therefore induced to offer the following resolution:

Resolved, That a committee be appointed to bring in a bill, granting to James Smith, compensation for the time he remained a prisoner, and until he returned home.

The bill, entitled "An act for the relief of John Huton," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act for the relief of Doctor Samuel Edmiston," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act enabling Anna Maria Hanke, the wife of Matthew Hanke, late Anna Maria Eyerly, widow and relict of Jacob Eyerly, junior, late of Nazareth, in the county of Northampton, deceased, and administratrix *de bonis non*, of the said Jacob Eyerly, junior, with the Will annexed, to convey certain lands therein mentioned," as reported by committee of the whole, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

On motion of Mr. Mitchell and Mr. Poe,

Agreed, That the second order of this day, for the further consideration in committee of the whole, of the bill, entitled "An act making appropriations for the repair of public roads, in several of the counties within this Commonwealth," be discharged.

Whereupon, on motion,

The further consideration of the said bill, (in committee of the whole) was postponed for the present.

The bill, entitled "An act to enable James Maris and Samuel Davis, administrators to the estate of Thomas West, deceased, to sell and convey certain real estate therein mentioned," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Harris in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill without amendment.

The bill, entitled "An act for the relief of Charles Thompson," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Brady in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill with an amendment, which was read as reported.

The Clerk of the House of Representatives, presented for concurrence, two bills, entitled respectively as follow, to wit:

1. "An act to repeal the nineteenth section of the act, to regulate the general elections within this Commonwealth."

2. "An act to provide for the erection of a house for the employment and support of the poor, in the county of Bucks," which were severally read the first time.

The bill, entitled "An act for the relief of Gasper Driver," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act for the relief of Francis Johnston," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Richards in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, the Chairman reported progress, and had leave to sit again on Friday next.

On motion of Mr. Mitchell and Mr. Sommer,

Agreed, That the first order of the day for Monday, the twenty-third to wit: The further consideration in committee of the whole, of the bill, entitled "An act authorizing the President of the United States, to open a road through that part of this State lying between Cumberland, in the State of Maryland, and the Ohio river," be discharged.

Whereupon,

The said bill was referred to Mr. Dorsey, Mr. Pennell and Mr. Brady, to consider and report thereon.

On motion of Mr. Mitchell and Mr. Poe,

Agreed, That the committee to whom was referred, on the twelfth December last, the petition of John Ashton, be discharged from the further consideration thereof.

On motion of Mr. Mitchell and Mr. Dorsey,

Agreed, That the committee to whom was referred, on the seventeenth ultimo, the petition of the subscribers thereto, owners of unsatisfied land warrants, be discharged from the further consideration thereof.

Adjourned 'till 10 o'clock, to-morrow morning.

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*Wednesday, February 18, 1807.*

Mr. M'Arthur from the committee to whom was referred, on the sixth instant, the petition of the trustees of the public seminary of learning, in the town of Meadville, Crawford county, on leave now given, reported the bill, entitled "An act to incorporate trustees for the Meadville academy, and to establish the same," which was read the first time.

The bill, entitled "An act for the relief of Gasper Driver," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act to enable James Maris and Samuel Davis, administrators to the estate of Thomas West, deceased, to sell and convey certain real estate therein mentioned," as reported by committee of the whole, yesterday, was considered by section.

Section I, being under consideration.

After debate,

A motion was made by Mr. Wayne and Mr. Wertz, to refer the said bill to a committee to consider and report thereon.

Which was agreed to.

Ordered, That Mr. Wayne, Mr. Brady and Mr. Mitchell, be the committee for that purpose.

The bill, entitled "An act for the relief of Charles Thompson," as reported by committee of the whole, yesterday, was considered by section.

Section I, being under consideration.

A motion was made by Mr. Sommer and Mr. Wertz, to amend the section by striking out the sum to be awarded to Mr. Thompson, for the purpose of inserting a different sum.

Whereupon,

After debate, it was

Moved by Mr. M'Arthur and Mr. Slaymaker, to postpone the further consideration of the section and bill for the present.

Which was agreed to.

The Clerk of the House of Representatives presented for concurrence, two bills, entitled as follow, to wit:

1. "An act establishing and confirming the place for holding the courts of justice in the county district of Potter."

2. "An act establishing the salaries of certain officers of government in this Commonwealth," which were severally read the first time.

The bill, entitled "An act granting to the trustees of the University of Pennsylvania, a sum of money for the purpose of enabling them to establish a botanical garden," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill with amendments, which were read as reported.

The bill, entitled "A supplement to the act, entitled "An act for the incorporation of the college of physicians of Philadelphia," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Harris in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill with the first section negatived.

The message from the House of Representatives, informing that that House do insist on their amendment not concurred in by Senate, to the bill, entitled "An act authorizing the Governor to incorporate a company, for making an artificial road from Harrisburg, through Lewistown and Huntingdon, to Pittsburg," viz. to retain the words "Waterstreet, Hollidaysburg and Ebensburg" read yesterday, was again read.

Whereupon,

Resolved, That Senate do insist on their non-concurrence in said amendment; and

Ordered, That Mr. Harris, Mr. Dorsey and Mr. Pennell, be a committee to confer with a committee of the House of Representatives, upon the subject of the said amendment, should that House appoint such committee; and

That the Clerk acquaint the House of Representatives accordingly.

Mr. Dorsey on leave given, read a bill in his place, and by permission presented the same to the Chair, entitled "A further supplement to the act, entitled "An act to incorporate the city of Philadelphia," which was read the first time.

The report of the committee to whom was referred, on the thirteenth instant, the petition of James Smith, read yesterday, was again read, considered and the resolution adopted, to wit:



"Resolved, That a committee be appointed to bring in a bill, granting to James Smith, compensation for the time he remained a prisoner, and until he returned home."

Ordered, That the committee who brought in the report, be the committee to bring in a bill agreeably to the resolution.

On motion of Mr. Brady and Mr. Mitchell,

Agreed, That the bill, entitled "An act directing the manner in which the dockets of justices of the peace of this Commonwealth shall be acted on, whose commissions have or hereafter may be vacated by death, resignation, removal from office or otherwise," be recommitted to the committee who reported the same, to consider and report thereon.

Adjourned till 10 o'clock, to-morrow morning.

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### *Thursday, February 19, 1807.*

Mr. Wayne from the committee to whom was yesterday referred, the bill, entitled "An act to enable James Maris and Samuel Davis, administrators to the estate of Thomas West, deceased, to sell and convey certain real estate therein mentioned," reported the said bill with amendments, which were read as reported.

Mr. Harris from the committee appointed for that purpose, yesterday, reported the bill, entitled "An act for the relief of James Smith," which was read the first time.

The bill, entitled "An act granting to the trustees of the University of Pennsylvania, a sum of money for the purpose of enabling them to establish a botanical garden," as reported by committee of the whole, yesterday, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act for the relief of James Ralston," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the chairman reported the bill without amendment.

Thereupon,

On motion of Mr. Wayne and Mr. Dorsey, and by special order, the said bill, as reported by committee of the whole, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The Clerk of the House of Representatives, presented for concurrence the bill, entitled "An act granting George Huber and Michael Zeller, a tract of donation land," which was read the first time.

The bill, entitled "A supplement to an act, entitled "An act authorizing the Governor to incorporate a company for making an artificial road from Harrisburg to Pittsburg," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Harris in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill with amendments, which were read as reported.

On motion of Mr. Mitchell and Mr. Harris,

Agreed, That the third order of this day, to wit: for the reconsideration of the "Resolution for the publication of laws of a general nature in the newspapers," with the Governor's objections thereto, be discharged, and that Monday the second March next, be assigned for that purpose.

The bill, entitled "A supplement to the act, entitled "An act to provide for the erection of a House for the employment and support of the poor in the county of Dauphin," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Dorsey in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill with amendments, which were read as reported.

The Clerk of the House of Representatives presented for signature, four bills, entitled respectively as follow, to wit:

1. "An act for the relief of Gasper Driver."
2. "An act for the relief of Doctor Samuel Edmiston."
3. "An act for the relief of William Sherrard."
4. "An act appointing a trustee in Centre county."

And he returned the resolution authorizing and directing the Surveyor-general to prepare and furnish certain maps, drafts, &c.

And informed, that the House of Representatives have passed the same with one amendment, which amendment is a follows, to wit:

In line 36, make "ten" read "four"

The Speaker signed the bills presented for signature.

On motion of Mr. Wayne and Mr. Sommer,

The Senate resumed (in committee of the whole, (Mr. Harris in the Chair) the consideration of the bill, entitled "An act to enable Jonathan Mifflin to convey part of a certain tract of land therein mentioned," and

After some time spent therein,

The committee rose, and the Chairman reported the bill without amendment.

The bill, entitled "An act enabling Anna Maria Hanke, the wife of Matthew Hanke, late Anna Maria Eyerly, widow and relict of Jacob Eyerly, junior, late of Nazareth, in the county of Northampton, deceased, and administratrix *de bonis non*, of the said Jacob Eyerly, junior, with the Will annexed, to convey certain lands therein mentioned," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with one amendment, in which the concurrence of that House is requested.

(The amendment is, that the President of the orphans' court of Northampton county shall with Mrs. Hanke ascertain the compliance of the contract between George Huber and Jacob Eyerly, junior.)

Mr. Miller asked and obtained leave of absence for a few days.

Adjourned till 10 o'clock, to-morrow morning.

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### *Friday, February 20, 1807.*

The Clerk of the House of Representatives presented an extract from the Journal of that House, which was read as follows, to wit:

*"In the House of Representatives,  
February 19, 1807.*

Resolved, That Messrs. Biddle, Bucher and Moore, be a committee on the part of this House, to confer with a committee of the Senate (already appointed) on the subject of an amendment to the bill, entitled "An act authorizing the Governor to incorporate a company for making an artificial road from Harrisburg, through Lewistown and Huntington, to Pittsburg."

Mr. M'Arthur presented the petition of the subscribers thereto, inhabitants of the county of Crawford; stating, their approbation of the recommendation of the Governor on the improvement of roads; that the roads in that part of the State are in a bad situation, that the country is consequently impeded in settlement and improvement; they therefore pray the aid of the Legislature; and the said petition was twice read, and

referred to the committee, to whom was referred on the fourteenth instant, a petition on the same subject.

Mr. Vance presented the petition of the subscribers thereto, inhabitants of Fayette county; stating, that the report of the commissioners appointed to view the route of the proposed turnpike from Fort Cumberland to the Ohio river, if adopted, will, in a great measure deprive them and the people generally in that part of the State, of all those benefits and advantages which they had fondly hoped to derive from the said turnpike. The petitioners state particularly the nature of the country through which the route as reported by the commissioners passes, and of the route through which, in the opinion of the petitioners, it ought to pass, to wit: Union, Brownsville and Washington, at the same time remarking the advantages that would flow from those towns being embraced as points of the said turnpike; and the said petition was read, and

Laid upon the table.

Mr. Vance also presented the petition of the subscribers thereto, inhabitants of Fayette county; stating, that they view with regret the opposition given to the late report of the commissioners appointed by the President of the United States, under an act of Congress for laying out a national road from Cumberland to the Ohio, and by him communicated through the Governor to the Legislature of this State, and fearing that the representations on this subject, from some parts of the western country, may be considered as the general sentiments of the citizens of that part of the State, which is not the case, the petitioners therefore deem it to be their duty to resist all endeavours to procrastinate the proceedings of the Legislature, in affording their assent to that part of the proposed turnpike which is to pass through this State; and the same was read, and

Laid upon the table.

Mr. Dorsey from the committee to whom was re-

ferred, on the seventeenth instant, the bill, entitled "An act authorizing the President of the United States, to open a road through that part of this State lying between Cumberland, in the State of Maryland, and the Ohio river," reported the said bill with one amendment, which was read as reported.

The bill, entitled "An act granting to the trustees of the University of Pennsylvania, a sum of money for the purpose of enabling them to establish a botanical garden," was read the third time.

Whereupon,

The Yeas and Nays on the question, "*Shall this bill pass?*" were required by Mr. Hart and Mr. Pennell, and, on the question, being put, the Members voted as follow, to wit:

YEAS.

1. Mr. Brady,
2. Mr. Hart,
3. Mr. Heister,
4. Mr. Heston,
5. Mr. Laird,
6. Mr. Lattimore,
7. Mr. Mayer,

YEAS.

8. Mr. Mewhorter,
9. Mr. Pennell,
10. Mr. Poe,
11. Mr. Richards,
12. Mr. Slaymaker,
13. Mr. Sommer,
14. Mr. Lane, *Speaker.*

NAYS.

1. Mr. Dorsey,
2. Mr. Harris,
3. Mr. Martin,
4. Mr. M'Arthur,

NAYS.

5. Mr. Miller,
6. Mr. Mitchell,
7. Mr. Spangler,
8. Mr. Vance.

Fourteen Yeas and eight Nays, by which it appeared that the question was determined in the affirmative.

Ordered, That the said bill be returned to the House of Representatives, with information that Senate, have passed the same with amendments, in which the concurrence of that House is requested.

(The amendments are, that instead of the grant of money being payable out of the State-treasury, it is payable out of the debt due by the trustees to the State. The other amendments are verbal.)

The bill, entitled "An act for the relief of James Ralston," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act to enable Jonathan Mifflin, to convey a part of a certain tract of land therein mentioned," as reported, yesterday, by committee of the whole, was considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act to incorporate the Philadelphia society, for the encouragement of domestic manufactures," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Hart in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and the Chairman reported the bill without amendment.

The bill, entitled "An act declaring part of Brush creek in the county of Bedford, and parts of Allegheny river and Oswayo and Conondau creeks, in the counties of Potter and M'Kean, public streams or highways," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Richards in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and reported the bill with amendments, which were read as reported.

The bill, entitled "An act to enable James Maris and Samuel Davis, administrators to the estate of Thomas West, deceased, to sell and convey certain real estate therein mentioned," as reported by spe-

cial committee, yesterday, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act granting George Huber and Michael Zeller, a tract of donation land," was read the second time, and referred to Mr. Brady, Mr. Lattimore and Mr. Heston, to consider and report thereon.

On motion,

The Senate resumed in committee of the whole, (Mr. Sommer in the Chair) the consideration of the bill, entitled "An act for the removal of the powder magazine from the city of Philadelphia," and

After some time spent therein,

The committee rose, reported progress and asked leave to sit again, which was not granted.

Whereupon,

The said bill was referred to Mr. Sommer, Mr. Dorsey and Mr. Mitchell, to consider and report thereon.

Moved by Mr. Miller and Mr. Spangler, (Members who voted with the majority) that Senate reconsider the question, (which negatived the first and only section) decided the fourth instant, on the bill, entitled "An act for the relief of Christian Shockey," and

The motion being under consideration,

The Yeas and Nays on agreeing thereto, were required by Mr. Pennell and Mr. Wayne.

Whereupon,

On the question, being put, the Members voted as follow, to wit:

#### YEAS.

1. Mr. Dorsey,
2. Mr. Laird,
3. Mr. Lattimore,
4. Mr. Martin,
5. Mr. M'Arthur,
6. Mr. Miller,

#### YEAS.

7. Mr. Poe,
8. Mr. Richards,
9. Mr. Sommer,
10. Mr. Spangler,
11. Mr. Vance.



# NAYS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Hart,
4. Mr. Heister,
5. Mr. Heston,
6. Mr. Mayer,

# NAYS.

7. Mr. Mewhorter,
8. Mr. Mitchell,
9. Mr. Pennell,
10. Mr. Slaymaker,
11. Mr. Wayne,
12. Mr. Lane, *Speaker.*

Eleven Yeas and twelve Nays, by which it appeared that the question was determined in the negative.

Adjourned 'till 10 o'clock, to-morrow morning.

## *Saturday, February 21, 1807.*

Mr. Wertz presented nine petitions (same tenor) of the subscribers thereto, inhabitants of Fayette county, of similar import to the second petition presented yesterday by Mr. Vance; and the said petitions were

Laid upon the table.

The Speaker laid before the Senate an abstract of the accounts of the president, directors and company, of the permanent bridge over the river Schuylkill, exhibited to the Legislature, in conformity with the fourteenth section of the act incorporating the said company.

The following particulars are abstracted therefrom:  
Amount received for shares and interest thereon

|                                               |                 |
|-----------------------------------------------|-----------------|
|                                               | \$ 199,458 98   |
| Balance of tolls from the old floating bridge | 26,516 64       |
| Amount of tolls from permanent                |                 |
| bridge, for 1805                              | \$ 13,205 14    |
| for 1806                                      | 10,354 70       |
|                                               | <hr/> 23,559 84 |
| Amount of loans made                          | 45,500          |

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\$295,035 46

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|                                           |               |
|-------------------------------------------|---------------|
| Amount paid for the scite of bridge       | \$ 42,693 75  |
| Cost of bridge, wharves, toll-houses, &c. | 245,718 59    |
| Interest on lonas                         | 5,495 67      |
| Balance in the hands of the treasurer     | 1,127 45      |
|                                           | <hr/>         |
|                                           | \$ 295,035 46 |

The Speaker also laid before the Senate a further report of Cadwallader Evans, jun. John Lyon and Joseph Heister, commissioners under the act of thirty-first March, one thousand eight hundred and six, entitled "An act for the more speedy and effectual collection of certain debts due to this Commonwealth," which was read as follows, to wit:

*To the honorable, the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

THE commissioners appointed under an act, entitled "An act for the more speedy and effectual collection of certain debts due to this Commonwealth."

RESPECTFULLY REPRESENT.

That they have since shortly after the passage of said act, been engaged in the investigation of the subject thereof. That they have ascertained from various documents an extensive property, the estate of the late John Nicholson, part of which is subject to incumbrances, prior to those of the State, and part of which remains unaffected by any other than those of the State.

From the best information received of the value of part of this property, and from their own view of other parts, the commissioners do not hesitate to say, that the aggregate value according to their estimation will fall short of the demand of the State, against the late John Nicholson; still there may be other property, which may have escaped the vigilance of the commissioners, and which may not for some time be discovered. The fourth section of the act above mentioned, provides for an average assessment of the whole of the States demand, upon the several

estates, lying in the several counties, according to the estimated value thereof, and the proviso of that section in favor of persons interested, contains a condition predicated upon such average assessment being made.

Now, as the estimated value is not equal to the whole demand of the State, the assessment contemplated cannot consistently with the intention of the act be effected; the proviso is consequently abortive, and those persons whose interest, was thereby intended to be consulted, are left without remedy, as the powers of the commissioners to compromise extend only to "cases where the lien of the State cannot be clearly ascertained," "or is not equal to the average rate assessed by the commissioners." Section 5.

The commissioners, therefore, to expedite the object of the said act, submit the propriety of the following propositions:

First, That so much of the fourth section of said act as enjoins the average assessment and at all regards the same, be repealed, together with the whole of the proviso.

Second, That the restriction upon the powers of compromise, contained in the fifth section of the aforesaid act, except that which requires the approbation of the Governor, be repealed.

There are other difficulties, which the present act does not enable the commissioners to obviate, and which if not remedied by the Legislature, will be very unfavorable to the great object of the act. With respect to these difficulties, the commissioners propose to the Legislature;

First, That the commissioners be authorized to direct, by endorsement on the process of sale, provided by the fourth section of the aforesaid act, any body of land to be sold in gross, or by particular tracts as surveyed according to their best judgment.

Second, That the late deputy-surveyors, who may have executed surveys for the use of the late John Nichol-

son; be authorized and enjoined to make such returns of the surveys so made by them as the commissioners may demand, the commissioners paying them the legal price of surveying and returning on account of the State.

Third, That such alteration as may be thought proper be made of that part of the fourth section, which requires the lands to be sold by the sheriffs of the respective counties, in which the lands lie.

The reasons for these propositions may not perhaps be evident, they are various and weighty; perhaps the better way of communicating them, would be to a committee, should your House desire any information, we shall be ready at any time, and in any way, to give it.

CADWALLADER EVANS, *Junior*.

JOHN LYON,

JOSEPH HEISTER.

The bill, entitled "An act to enable Jonathan Miff. lin, to convey a part of a certain tract of land, therein mentioned," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act to enable James Maris and Samuel Davis, administrators to the estate of Thomas West, deceased to sell and convey certain real estate therein mentioned," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence of that House is requested.

Which amendments as follow, to wit:

1. That the money arising from the sale of the estate be appropriated as follow: First, To the payment of all legal demands against the estate of the said Thomas West, deceased, the residue to be by the said administrators placed out at interest, on good real security, one third thereof, for the use of the mother of the said Thomas West, deceased; another third for the use of the widow of the said Thomas, during their natural lives, respectively, and after their decease, for the use of the children of the said Thomas; and the other third thereof, for the use of the said children and their legal representatives.

2. That the legal rights of all other persons shall be saved, and remain as effectually, as if this act had never been passed.

The bill, entitled "An act to incorporate the Philadelphia society for the encouragement of domestic manufactures," as reported by committee of the whole, yesterday, was considered by section.

Sections I, and II, were severally agreed to

Section III, being under consideration.

A motion was made by Mr. Sommer and Mr. Wertz, to amend the section, by increasing the capital stock of the company from "one hundred thousand" to "two hundred thousand dollars"

Which was agreed to.

Whereupon,

The Yeas and Nays on agreeing to the section, as amended, were required by Mr. Pennell and Mr. Hart, and, on the question, being put, the Members voted as follow, to wit:

YEAS.

1. Mr. Brady,
2. Mr. Dorsey,
3. Mr. Hart,
4. Mr. Laird,
5. Mr. Mewhorter,
6. Mr. Miller,
7. Mr. Mitchell,

YEAS.

8. Mr. Poe,
9. Mr. Rahm,
10. Mr. Richards,
11. Mr. Slaymaker,
12. Mr. Sommer,
13. Mr. Spangler,
14. Mr. Wertz,

## NAYS.

1. Mr. Heister,
2. Mr. Martin,
3. Mr. M'Arthur,

## NAYS.

4. Mr. Pennell,
5. Mr. Vance,
6. Mr. Lane, *Speaker*.

Fourteen Yeas and six Nays, by which it appeared that the question was determined in the affirmative; and the section adopted.

Sections IV, V, VI, VII, VIII, IX, X, XI, and XII, were severally agreed to.

Section XIII, being under consideration.

A motion was made by Mr. Mitchell and Mr. Hart, to amend the section by striking out "five years" the duration of the charter contemplated by the bill, and inserting "ten years" in place thereof.

Which was agreed to, and the section as amended adopted.

The title being agreed to.

Ordered, That it be prepared for the third reading.

The Clerk of the House of Representatives presented for concurrence, the bill, entitled "A supplement to the act to incorporate the city of Philadelphia."

And he presented for signature, the bill, entitled "A supplement to an act, entitled "An act to enable the Governor of this Commonwealth, to incorporate a company for opening a canal and lock navigation between the rivers Schuylkill and Susquehanna, by the waters of Tulpehocken, Quittapahilla and Swatara, in the counties of Berks and Dauphin."

Whereupon,

The Speaker signed the said bill.

The bill presented for concurrence was read the first time.

The bill, entitled "An act declaring part of Brush creek, in the county of Bedford, and parts of Allegheny river and Oswaye and Conondau creeks, in the counties of Potter and M'Kean, public streams or highways," as reported by committee of the whole, yesterday, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act establishing and confirming the place for holding the courts of justice in the county district of Potter," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Hart in the Chair) for the further consideration thereof; and

After some time,

The committee rose, reported progress, and had leave to sit again on Wednesday the twenty-fifth instant.

The bill, entitled "An act for the relief of James Smith," was read the second time, considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act authorizing the President of the United States, to open a road through that part of this State lying between Cumberland, in the State of Maryland, and the Ohio river," was read the second time, as reported by special committee, yesterday, to whom it had been recommitted.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Richards in the Chair) for the further consideration thereof; and

After some time,

The committee rose, reported progress and had leave to sit again on Thursday next, the twenty-sixth instant.

Adjourned 'till 10 o'clock, Monday morning.

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*Monday, February 23, 1807.*

Mr. Dorsey presented the petition of Robert Kennedy, stating, that he holds a tract of land on the north-east side of the river Schuylkill, adjoining the

Falls, and is desirous of availing himself of the use of the said Falls and the water of said river, for mills and such machinery, as may be constructed on his land. He therefore prays for an act, authorizing him to dig a canal on his own ground, and open the same so far into the river Schuylkill, as to admit therefrom a sufficient quantity of water for his purposes; and the same was twice read, and referred to Mr. Dorsey, Mr. Heister and Mr. Rahm, to consider and report thereon:

Mr. Sommer from the committee to whom was referred, on the twentieth instant, the bill, entitled "An act for the removal of the powder magazine from the city of Philadelphia," reported the said bill with an amendment, which was read as reported.

Mr. Harris from the committee appointed, on the eighteenth instant, to confer with a committee of the House of Representatives, upon the subject of the disagreement of the Senate, to the amendment by the House of Representatives, on the bill, entitled "An act authorizing the Governor to incorporate a company, for making an artificial road from Harrisburg, through Lewistown and Huntington, to Pittsburg," made report:

That they have freely conferred with the committee of the House of Representatives, and they have agreed in opinion, that it is unnecessary and might be injurious to the public interests to fix by law those points of the intended road, upon which the two Houses have differed. The committee think that as a diversity of opinion exists as to the best route from Huntingdon, westward, the determination of it should be left to the discretion of the company, who will have every inducement of interest, as well as the best means of information, to enable them to select that, which combines the greatest advantages to the general interest, and which is most likely to promote the execution of the plan. They have therefore agreed, respectfully, to recommend to the House of Represen-



tatives, to recede from their amendment directing that the said route shall pass through Waterstreet, Hollidaysburg and Ebensburg.

Mr. Harris from the committee, to whom was referred, on the fourteenth instant, the bill, entitled "An act for the relief of Abraham Griffiths," reported the said bill without amendment.

The bill, entitled "An act to incorporate the Philadelphia society, for the encouragement of domestic manufactures," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence of that House is requested; which amendments are as follow, to wit:

Section III, Line 11, make the capital stock of the company "two hundred thousand dollars" instead of "one hundred thousand dollars"

Section VI, Add to the end thereof, "nor shall they be allowed to export any raw material out of the United States."

Section XIII, Make the limitation of the act "ten" instead of "five" years.

The bill, entitled "An act declaring part of Brush creek, in the county of Bedford, and parts of Allegheny river and Oswayo and Conondau creeks, in the counties of Potter and M'Kean, public streams or highways," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence of that House is requested.

The amendments are as follow, to wit:

Introduce a new section, to be called section IV. To declare Bald Eagle creek, from Milesburg to Joseph Williams' land, also a public stream. Number the succeeding section accordingly. And alter the title so as to conform to these amendments.

The bill, entitled "An act for the relief of James Smith," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act establishing the salaries of certain officers of Government in this Commonwealth," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Brady in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with one amendment, which was read as reported.

The Clerk of the House of Representatives, presented for concurrence, two bills, entitled respectively as follow, to wit:

1. "An act to enable Thomas Alleson and Samuel Agnew, to sell and convey certain lands therein mentioned."

2. "An act for the relief of Jeremiah Loughrey."

And he presented an extract from the Journal of the House of Representatives.

The extract was read as follows:

*"In the House of Representatives,*

*February 23, 1807.*

Resolved, That this House do adopt the report of the committee (appointed to confer with a committee of Senate on the subject) which recommends to the House to recede from their amendment to the bill, entitled "An act authorizing the Governor to incor-

porate a company, for making an artificial road from Harrisburg, through Lewistown and Huntingdon, to Pittsburg."

The bills, presented for concurrence, were severally read the first time.

The bill, entitled "A supplement to the act, entitled "An act to provide for the erection of a house for the employment and support of the poor in the county of Dauphin," as reported by committee of the whole on the nineteenth instant, was considered by section.

Section I, being under consideration.

On motion of Mr. Rahm and Mr. Hart,

The section was amended, by making it the duty of the directors, in fixing upon the most eligible place of the poor-house, "to have due regard to soil and water."

The section as amended was adopted.

The preamble and title being agreed to.

Ordered, That the said bill be prepared for the third reading.

The amendment by the House of Representatives, on the resolution, directing the Surveyor-general, to furnish certain maps, &c. read on the nineteenth instant, was again read, considered and concurred in.

Ordered, That the Clerk acquaint the House of Representatives thereof.

Mr. Sommer asked and obtained leave of absence for Mr. Wayne, for a few days.

On leave given, Mr. M<sup>r</sup>Arthur, read a bill in his place, and by permission presented the same to the Chair, entitled "An act to extend the right of peremptory challenge, to cases not hitherto provided for," which was read the first time.

The petition of the grand-children, great-grand-children, and heirs of Captain Joseph Stiles, late of Philadelphia, deceased, read on the sixteenth instant, was again read, and referred to Mr. Dorsey, Mr. Martin and Mr. Laird, to consider and report thereon.

On motion,

The Senate resumed in committee of the whole, (Mr. Vance in the Chair) the consideration of the bill, entitled "An act to prohibit the distilling and boiling of turpentine and oil, and the manufacturing of varnish, within the city of Philadelphia and its neighbourhood," (postponed for the present on the ninth instant;) and

After some time,

The committee rose, and reported the bill with amendments, which were read as reported.

The bill, entitled "An act to provide for the enumeration of the taxable inhabitants and slaves within this Commonwealth," as reported by select committee on the twelfth instant, was considered by section and agreed to.

Ordered, That the said bill be prepared for the third reading.

On motion and by special order,

The bill, entitled "An act for the relief of Abraham Griffiths," was read the second time, as reported by special committee, this day, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

Adjourned till 10 o'clock, to-morrow morning.

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*Tuesday, February 24, 1807.*

Mr. Brady from the committee to whom was referred, on the twenty-fourth ultimo, the bill, entitled "An act establishing and confirming the place for holding the courts of justice in the county district of M'Kean," reported the said bill with amendments, which were read as reported.

The bill, entitled "A supplement to the act, entitled "An act to provide for the erection of a house for the employment and support of the poor, in the county of Dauphin," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence of that House is requested.

[The amendments are—That the directors of the poor of said county "shall be and they are hereby authorized to sell the scite heretofore fixed on for the poor-house and fix upon another; having due regard to soil and water."]

The Clerk of the House of Representatives informed Senate, that the House of Representatives have concurred in the amendments by Senate, to the bill, entitled "An act enabling Anna Maria Hanke, the wife of Matthew Hanke, late Anna Maria Eyerly, widow and relict of Jacob Eyerly, junior, late of Nazareth, in the county of Northampton, deceased, and administratrix *de bonis non*, of the said Jacob Eyerly, junior, with the Will annexed, to convey certain lands therein mentioned."

The bill, entitled "An act to provide for the enumeration of the taxable inhabitants and slaves within this Commonwealth," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information, that Senate have passed the said bill with amendments, in which the concurrence of that House is requested; which amendments are as follow, to wit:

1. That the commissioners be allowed till "November" instead of "June" next, before they commence their proceedings under the act.

2. That the assessors shall have but "thirty" instead of, "sixty" days to make out lists of the taxables in their respective townships, &c.

3. That the county commissioners, respectively, shall examine the lists, &c. as returned to them, and certify the errors (if any) to the Governor, at the time they forward the said lists.

4. Strike out the provisions, which direct the judges of the courts of quarter sessions, to give the act in charge to the grand juries, and to examine the lists of taxables.

5. That the compensation to be allowed assessors, &c. for taking the enumeration, shall be fixed by the commissioners of the counties respectively.

6. Makes allowance to each assessor for fixing up each list of the taxables, in his district, one dollar and fifty cents.

(The other amendments are merely verbal.)

[The principal object of the amendments, is that the enumeration may be taken at the same time, and by the same persons, that the assessments are taken and made.]

The bill, entitled "An act for the relief of Abra-Griffiths," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act establishing the salaries of certain officers of government in this Commonwealth," as reported by committee of the whole, yesterday, was considered by section.

Section I, being under consideration.

A motion was made by Mr. M'Arthur and Mr. Poe, to amend the section, by striking out "sixteen hundred dollars" the salary contemplated by the bill, as amended in committee the whole, and inserting in place thereof "fourteen hundred dollars" the salary contemplated by the bill as it originally stood.

Whereupon, it was

Moved by Mr. Sommer and Mr. Mitchell, and  
Agreed, That the further consideration of the subject  
be postponed for the present.

The bill, entitled "An act to prohibit the distilling  
and boiling of turpentine and oil and the manufactur-  
ing of varnish, in the city of Philadelphia and its neigh-  
bourhood," as reported by committee of the whole,  
yesterday, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

On motion of Mr. Pennell and Mr. Sommer,  
Agreed, That the committee to whom was referred,  
on the second instant, that part of the message from  
the Governor, together with the documents appurtenant  
thereto, respecting the illegal exactions practised in  
the ports of Natchez and New-Orleans," be dis-  
charged.

The bill, entitled "An act for the removal of the  
powder magazine from the city of Philadelphia," was  
read the second time, as reported, yesterday, by select  
committee.

Whereupon,

The Senate resolved itself into committee of the  
whole, (Mr. Hart in the Chair) for the further consi-  
deration thereof; and

After some time,

The committee rose, reported progress, and had  
leave to sit again on Saturday, the twenty-eight in-  
stant.

On leave given, Mr. Harris read a bill in his place;  
and by permisson presented the same to the Chair,  
entitled "An act respecting black and mulattoe per-  
sons," which was read the first time.

The report of a committee on the subject of a  
middle-district for the supreme court, read on the  
twelfth instant, was again read, considered, and the  
resolution therein contained adopted, to wit:

Resolved, That a committee be appointed to bring  
in a bill, in conformity to the prayer of the peti-  
tioners.

Ordered, That the committee who brought in the report, be the committee for the purpose expressed in the resolution.

The Clerk of the House of Representatives presented for signature, two bills, entitled respectively as follow, to wit:

1. "An act enabling Anna Maria Hanke, the wife of Matthew Hanke, late Anna Maria Eyerly widow, and relict of Jacob Eyerly, junior, late of Nazareth in the county of Northampton, deceased and administratrix *de bonis non*, of the said Jacob Eyerly, junior, with the Will annexed, to convey certain lands therein mentioned."

2. "An act to enable Jonathan Mifflin to convey a part of a certain tract of land therein mentioned."

And he presented for concurrence, "A resolution for the distribution of the Journals in the German language," which was read the first time.

The Speaker signed the bills presented for signature.

Adjourned till 10 o'clock, to-morrow morning.

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*Wednesday, February 25, 1807.*

Mr. Vance presented three several petitions (of similar tenor) from the subscribers thereto, inhabitants of Washington county, praying the Legislature, to pass an act confirming the report of the commissioners, respecting the route of the proposed United States turnpike, so far as it may pass through this State, and the same were read and referred to the committee of the whole, to whom has been referred the bill, entitled "An act authorizing the President of the United States, to open a road through that part of this State, lying between Cumberland in the State of Maryland and the Ohio river."

On motion of Mr. Wertz and Mr. Vance,



The several petitions on the subject of the United States, turnpike, presented on Friday and Saturday last, were read the second time, and referred to the committee of the whole, to whom was referred the before mentioned bill.

Mr. Brady from the committee to whom was referred, on the eighteenth instant, the bill, entitled "An act directing the manner, in which the dockets of justices of the peace of this Commonwealth, shall be acted on whose commissions have, or hereafter may be vacated by death, resignation, removal from office or otherwise," reported the said bill with amendments, which were read as reported.

The bill, entitled "An act to prohibit the distilling of turpentine and oil, and the manufacturing of varnish, within the city of Philadelphia and its neighbourhood," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information, that Senate have passed the said bill with amendments, in which the concurrence of that House is requested; which amendments are as follow, to wit:

"Except fire-proof buildings from the provisions of the act; and limit its operation to Ninth-street, from Delaware, instead of Broad-street"

(With one verbal amendment.)

The Clerk of the House of Representatives informed, that that House have concurred in the amendments by Senate, to the bill, entitled "An act declaring part of Brush creek in the county of Bedford, and parts of Allegheny river, and Oswaye and Conondau creeks, in the counties of Potter and M'Kean, public streams or highways," and also in the second amendment by Senate, to the bill, entitled "An act to incorporate the Philadelphia society for the encouragement of domestic

manufactures," but have not concurred in the first and third.

The bill, entitled "An act establishing and confirming the place for holding the courts of justice in the county district of M'Kean," as reported, yesterday, by special committee, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

Agreeably to order, the Senate resumed in committee of the whole, (Mr. Hart in the Chair) the consideration of the bill, entitled "An act establishing and confirming the place for holding the courts of justice in the county district of Potter," and

After some time spent therein,

The committee rose, and reported the bill with amendments, which was read as reported.

The bill, entitled "An act for the relief of Jeremiah Loughrey," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Richards in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill without amendment.

Whereupon,

On motion of Mr. Brady and Mr. Hart,

The said bill as reported by committee of the whole, was considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

The Clerk of the House of Representatives, returned the bill, entitled "An act for the relief of James Ralston," and informed, that that House have passed the said bill without amendment.

He presented for concurrence, the bill, entitled "An act establishing an academy at Wilkesbarre, in the county of Luzerne."

And he presented for signature, two bills and a resolution, entitled respectively as follow, to wit:

1. "An act declaring part of Brush creek, in the county of Bedford, and parts of Allegheny river and Oswayo and Conondau creeks, in the counties of Potter and M'Kean, and part of Bald-Eagle creek, in the county of Centre, public streams or highways."

2. "An act authorizing the Governor to incorporate a company for making an artificial road from Harrisburg, through Lewistown and Huntingdon, to Pittsburg."

3. "A resolution authorizing and directing the Surveyor-general, to prepare and furnish, certain maps, drafts, &c."

Whereupon,

The Speaker signed the said bills and resolution.

The bill presented for concurrence was read the first time.

The bill, entitled "An act to authorize the Governor of this Commonwealth, to incorporate a company for making an artificial road from the Philadelphia and Lancaster turnpike road, in Lancaster county, at or near the Gap tavern, and to extend thence the nearest and best practicable course, by Cochran's, Chatham and Chandler's taverns, to the line of the State of Delaware, so as to communicate with a contemplated artificial road, to extend thence the nearest and best practicable course to Newport, on Christiana creek, in the State of Delaware, to be authorized by a law of that State," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Dorsey in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with amendments, which were read as reported.

The bill, entitled "An act to repeal the nineteenth section of the act to regulate the general elections within this Commonwealth," was read the second time.

Whereupon,

The Senate resolved itself into committee of the

whole, (Mr. Laird in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill without amendment.

Adjourned 'till 10 o'clock, to-morrow morning.

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## Thursday, February 26, 1807.

The Clerk of the House of Representatives, informed, that that House have concurred in the amendments by Senate, to the bill, entitled "A supplement to the act, entitled "An act to provide for the erection of a house for the employment and support of the poor, in the county of Dauphin;" also, that they have concurred in the amendments by Senate, to the bill, entitled "An act to enable James Maris and Samuel Davis, administrators to the estate of Thomas West, deceased, to sell and convey certain real estate therein mentioned," with certain amendments thereto, in which they request the concurrence of Senate.

The amendments by the House of Representatives, are as follow :

1. Between the words, "deceased the" insert "and"
2. Strike out all that follows the word "security" to the end of the paragraph, and insert in lieu thereof: "For the benefit of the heirs respectively, agreeably to the intestate laws of this Commonwealth."

The bill, entitled "An act establishing and confirming the place, for holding the courts of justice in the county district of M'Kean," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative. \*

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence of that House is requested.

The amendments are:

1. Make the name of the county town, "Smeths-port" instead of "Smithsport"

2. Connect the names of "Richard Gernon and John S. Roulet," with that of "John Keating" as proprietors of said town.

3. That the "one hundred and fifty acres" contemplated for the support of a school, shall be "laid off in a regular plot from the tract of land, on which the said town is situate, to be selected by the trustees of M'Kean county"

The bill, entitled "An act for the relief of Jeremiah Loughry," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act establishing and confirming the place for holding the courts of justice in the county district of Potter," as reported by committee of the whole, yesterday, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act to incorporate a company, for making an artificial road from the Philadelphia and Lancaster turpike road, in Lancaster county, at or near the Gap tavern, and to extend thence the nearest and best practicable course by Cochran's, Chatham and Chandler's taverns, to the line of the State of Delaware, so as to communicate with a contemplated artificial road to extend thence the nearest and best practicable course to Newport, on Christiana creek, in

the State of Delaware, to be authorized by a law of that State," as reported, yesterday, by committee of the whole, was considered by section.

Sections I, to XIII, inclusive, were severally agreed to.

Section XIV, being under consideration.

A motion was made by Mr. Mitchell and Mr. M'Arthur, to amend the section, by increasing the penalty from "five" to "ten dollars" on the keepers of the gates, who shall demand toll after that part of the road, where such gates are fixed shall be declared to be out of order,

Which was not agreed to.

The section was agreed to.

Section XV, to XXII, inclusive, were severally agreed to.

Section XXIII, being under consideration.

A motion was made by Mr. Wayne and Mr. Mitchell, to amend the section by limiting the commencement of suits for penalties under the act, to "three months" instead of "six months" after the commission of the fact.

Which was agreed to.

The section as amended was adopted.

Sections XXV, and XXVI, were severally agreed to.

On motion of Mr. M'Arthur and Mr. Hart,

The following was introduced and adopted, as a new section, to be called, section XXVII, to wit:

*"And be it further enacted by the authority aforesaid, That if the said road shall be laid out and founded over, and upon any land whereby the owner thereof shall suffer damage, the person or persons sustaining such damage, may make application to the court of the county, in which such damage shall have been done, and thereupon, the court shall appoint six fit and disinterested persons to view and adjudge the amount of the damage so done, which, if approved of by the court, shall be paid by the company."*

The title of the bill being agreed to.

Ordered, That it be prepared for the third reading.

The Clerk of the House of Representatives presented for signature, three bills, entitled respectively as follow, to wit :

1. "A supplement to the act, entitled "An act to provide for the erection of a house for the employment and support of the poor in the county of Dauphin."
2. "An act for the relief of Abraham Griffiths."
3. "An act for the relief of James Ralston."

And he presented for concurrence :

1. "An act for the sale of vacant unimproved land within certain parts of this Commonwealth."

2. "Resolution predicated on certain communications from the Legislature of Kentucky, expressive of a strong attachment to the Federal Government, and the fullest confidence in the Executive Magistrate of the Union. Also, containing instructions to the Members of Congress from this State, to enquire concerning illegal impositions practised on our citizens by certain collectors (under the appointment of the United States) at the ports of Natchez and New-Orleans," which were read the first time.

The bill, entitled "An act to repeal the nineteenth section of the act to regulate the general elections within this Commonwealth," as reported by committee of the whole, yesterday, was considered by section.

The first and only section being under consideration.

After debate,

A motion was made by Mr. Sommer and Mr. Wayne, to postpone the further consideration thereof for the present.

Which was not agreed to.

Whereupon,

The Yeas and Nays on the question, on agreeing to the section, were required by Mr. Hart and Mr. Pennell; and

Thereupon,

A motion was made by Mr. Wayne and Mr. Sommer, to postpone the further consideration of the subject for the present.

Which was agreed to.

Agreeably to order, the Senate resumed in committee of the whole, (Mr. Richards in the Chair) the consideration of the bill, entitled "An act authorizing the President of the United States, to open a road through that part of this State, lying between Cumberland, in the State of Maryland, and the Ohio river," and

After some time,

The committee rose, reported progress, and had leave to sit again on the fourth of March next.

The bill, entitled "An act to enable Thomas Allison and Samuel Agnew, to sell and convey certain lands, therein mentioned," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill without amendment.

On motion of Mr. Hart and Mr. Sommer,

The following resolution was twice read, considered and adopted.

Resolved, That the Speaker draw his warrant on the State-treasurer, in favor of George Bryan, Clerk of the Senate, for the sum of eight hundred dollars, on account of the several printers to the Senate, he to account therefor.

Whereupon,

A warrant was accordingly so drawn.

On leave given, Mr. Wertz read a bill in his place, and by permission presented the same to the Chair, entitled "An act to raise by way of lottery, a sum of money, to defray the expence of compleating a church in Stoystown, and for building a bridge over Quemahoning creek, on the road leading from Stoystown to Ebensburg," which was read the first time.

Mr. Mewhorter asked and obtained leave of absence for Mr. Lattimore for a few days.

Adjourned 'till 10 o'clock, to-morrow morning.



*Friday, February 27, 1807.*

Mr. Vance presented the memorial of the executors and devisees of Samuel Glasgow, late of Fayette county, deceased; stating, that the intention of the said Samuel Glasgow, is expressly mentioned in his last Will, to dispose of his real as well as personal estate, but no power is therein given to the executors or other person, to dispose of the real estate, which embarrasses the legatees by reason, that some of them are under age. The memorialists therefore pray, that they may be vested with the necessary powers to convey the said real estate; and the same was twice read, and referred to Mr. Vance, Mr. Sommer and Mr. Wayne, to consider and report thereon, by bill or otherwise.

The bill, entitled "An act confirming and establishing the place for holding the courts of justice in the county district of Potter," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence of that House is requested.

The amendments are—

1. That the names of "Richard Gernon, and John S. Roulet," be connected with that of "John Keating" as proprietors of the town of Coudersport, &c. throughout the bill.

2. That in choosing the lots to be granted to the State, regard shall be had to situation and quality.

3. That the grant of one hundred and fifty acres of land, contemplated for the support of a school, shall be laid off in a regular plot from the tract of land, in which the county town is situate, to be selected by the trustees of the county.

(The other amendments are merely verbal.)

The bill, entitled "An act to enable Thomas Allison and Samuel Agnew, to sell and convey certain lands therein mentioned," as reported by committee the whole, yesterday, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act to provide for the erection of a house for the employment and support of the poor, in the county of Franklin," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Hart in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with one amendment, which was read as reported.

The Clerk of the House of Representatives informed that that House have concurred in the amendments by Senate, to the bill, entitled "An act for establishing and confirming the place for holding the courts of justice in the county district of M'Kean."

The message from the House of Representatives informing, that that House have concurred in the amendments by Senate, on the bill, entitled "An act to enable James Maris and Samuel Davis, administrators to the estate of Thomas West, deceased, to sell and convey certain real estate, therein mentioned," with amendments thereto, read yesterday, was again read.

Whereupon,

Resolved, That Senate concur therein, and

Ordered, That the Clerk acquaint the House of Representatives thereof.

The message from the House of Representatives informing, that that House have not concurred in the first and third amendments by Senate, to wit:

To increase the capital stock from "one hundred thousand dollars" to "two hundred thousand dollars"

To extend the charter to "ten" instead of "five years"

On the bill, entitled "An act to incorporate the Philadelphia society, for the encouragement of domestic manufactures," read on the twenty-fifth instant, was again read.

Whereupon,

Resolved, That Senate do recede from their said amendments; and

Ordered, That the Clerk acquaint the House of Representatives thereof.

The bill, entitled "A supplement to an act authorizing the Governor to incorporate a company, for making an artificial road from Harrisburg, to Pittsburg," as reported by committee of the whole, on the nineteenth instant, was considered by section.

Section I, was agreed to.

Section II, being under consideration,

A motion was made by Mr. Brady and Mr. M'Arthur, to amend the section, by striking out the names "Robert Dickey, James Brady," two of the commissioners, named for Westmoreland county, and inserting in place thereof "John Irwin, Hugh Martin, John M. Snowden"

Which was agreed to, and the section as amended adopted.

The remaining sections were agreed to.

The title being amended, so as to read, "A supplement to the act, entitled "An act authorizing the Governor to incorporate a company, for making an artificial road from the bank of the river, opposite the borough of Harrisburg to Pittsburg."

Ordered, That the said bill be prepared for the third reading.

The Clerk of the House of Representatives, presented for signature, two bills, entitled as follow, to wit:

1. "An act for establishing and confirming the place for holding the courts of justice, in the county district of M'Kean."

2. "An act for the relief of Jeremiah Loughrey."

And he presented for concurrence, two bills, entitled respectively as follow, to wit:

1. "An act to alter and amend the act, entitled "An act to provide for the settlement of public accounts, and for other purposes therein mentioned."

2. "An act granting two thousand dollars, to the commissioners of Erie county, for the purpose of erecting public buildings for the use of said county."

Which were severally read the first time.

The Speaker signed the bills presented for signature.

On motion of Mr. Wayne and Mr. Vance,

Agreed, That the committee to whom was referred, on the eighth December, the first item, of the report on the Governor's address, relative to the judiciary, be discharged.

The bill, entitled "An act to regulate the fisheries in the river Susquehanna and its branches," as reported by committee of the whole, on the twelfth instant, was considered by section.

Section I, being under consideration.

A motion was made by Mr. Rahm and Mr. Mitchell, to amend the section by inserting the following next before the proviso; "one half thereof to be paid by the owner or owners of the seine, and the other half by the men so fishing"

Which was agreed to.

Whereupon, it was

Moved by Mr. Spangler and Mr. Mitchell, to postpone the further consideration of the section and bill for the present, and recommend it to the attention of the Senate, at their next session.

Which was not agreed to.

The section as amended was adopted.

Section II, being under consideration.

A motion was made by Mr. Rahm and Mr. Mitchell, to strike out the following "or its branches, or in any manner, whatever make use of any craft, contrivance, or design, to confine fish at or in any pool or fishing place, or to prevent the free passage of, in the said river, or by means of any kind of drug shall destroy the fish"

Which was not agreed to.

Thereupon,

The Yeas and Nays on adopting the section, were required by Mr. Mitchell and Mr. Martin, and on the question, being put, the Members voted as follow, to wit:

## YEAS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Hart,
4. Mr. Laird,
5. Mr. Martin,
6. Mr. Mayer,
7. Mr. Pennell,

## NAYS.

1. Mr. Heister,
2. Mr. M'Arthur,

## YEAS.

8. Mr. Rahm,
9. Mr. Richards,
10. Mr. Slaymaker,
11. Mr. Sommer,
12. Mr. Vance,
13. Mr. Wayne,
14. Mr. Lane, *Speaker*.

## NAYS.

3. Mr. Mitchell,
4. Mr. Spangler.

Fourteen Yeas and four Nays, by which it appeared that the question was determined in the affirmative, and the section adopted.

The remaining sections, with the title, having been read and adopted.

Ordered, That the said bill be prepared for the third reading.

Adjourned till 10 o'clock, to-morrow morning.

*Saturday, February 28, 1807.*

The bill, entitled "An act to enable Thomas Alle-son and Samuel Agnew, to sell and convey certain lands therein mentioned," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Re-presentatives, with information that Senate have pas-sed the said bill without amendment.

The bill, entitled "An act to regulate the fisheries in the river Susquehanna and its branches," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence of that House is requested.

The amendments are—

Section I, That the provisions of the law shall extend to the branches of the river Susquehanna "which have by law been declared public highways"

Lines 12 and 21, strike out "or other device"

Lines 15 and 22, strike out "or device"

Make the penalty in this section "one hundred" instead of "one hundred and fifty dollars, one half payable by the owner of the seine and the other half by the men fishing"

Add a proviso at the end of the section to except from the law persons fishing with hoop-nets and hooks and lines,

In section II, any person destroying fish by means of any kind of drug, is subject to the penalty of the law.

(The other amendments are merely verbal.)

The bill, entitled "An act to authorize the Governor of this Commonwealth, to incorporate a company for making an artificial road from the Philadelphia and Lancaster turnpike road, in Lancaster county, at or near the Gap tavern, and to extend thence the nearest and best practicable course, by Cochran's, Chatham and Chandler's taverns, to the line of the State of Delaware, so as to communicate with a contemplated artificial road, to extend thence the nearest and best practicable course to Newport, on Christiana creek, in the State of Delaware, to be authorized by a law of that State," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "A supplement to an act, authorizing the Governor to incorporate a company, for making an artificial road from Harrisburg to Pittsburg," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put.

A motion was made by Mr. Brady and Mr. Harris, to postpone the further consideration of that question, and the bill for the present.

Which was agreed to.

The Clerk of the House of Representatives informed, that that House have concurred in the amendments by Senate, on the bill, entitled "An act establishing and confirming the place for holding the courts of justice, in the county district of Potter."

He presented for concurrence, two bills, entitled as follow, to wit:

1. "An act to enable Sarah Morgan, administratrix and Jonathan Morgan, administrator, to the estate of Isaac Morgan, deceased, to convey a tract of land in Charlestown township, Chester county."

2. "An act annexing part of Northumberland county, to the county of Lycoming."

And he returned the bill, entitled "An act for the relief of James Smith," which he informed the House of Representatives have passed without amendment.

The bills, presented for concurrence, were severally read the first time.

The bill, entitled "An act to provide for the erection of a house for the employment and support of the poor, in the county of Franklin," as reported by committee of the whole, yesterday, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

Mr. Spangler asked and obtained leave of absence, for a few days.

Mr. Laird asked and obtained leave of absence for Mr. Poe, for the remainder of the session.

On motion of Mr. Dorsey and Mr. Heister,

The Senate resumed the consideration of the bill, entitled "An act to repeal the nineteenth section of the act to regulate the general elections, within this Commonwealth," postponed for the present on the twenty-sixth instant.

The consideration of section I, with the call of the Yeas and Nays, on agreeing thereto, recurring.

After debate,

The question on adopting the section, being put, the Members voted as follow, to wit:

YEAS.

1. Mr. Dorsey,
2. Mr. Hart,
3. Mr. Heister,
4. Mr. Laird,
5. Mr. Martin,
6. Mr. M'Arthur,

NAYS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Mayer,
4. Mr. Mewhorter,
5. Mr. Richards,

YEAS.

7. Mr. Mitchell,
8. Mr. Pennell,
9. Mr. Rahm,
10. Mr. Spangler,
11. Mr. Vance,
12. Mr. Lane, *Speaker.*

NAYS.

6. Mr. Slaymaker,
7. Mr. Sommer,
8. Mr. Wayne,
9. Mr. Wertz.

Twelve Yeas and nine Nays, by which it appeared, that the question was determined in the affirmative.

The title being agreed to.

Ordered, That the said bill be prepared for the third reading.

Mr. Wertz asked and obtained leave of absence for a few days.

Adjourned 'till 10 o'clock, Monday morning.



*Monday, March 2, 1807.*

Mr. Dorsey presented the petition of the subscribers thereto, citizens of the Commonwealth; stating, they have associated themselves, with the intention of forming a banking company, under the name of the "Farmers and Mechanics Bank," and praying for an act of incorporation; which was read, and

Laid upon the table.

Mr. Sommer presented the petition of the subscribers thereto, inhabitants of the county of Philadelphia; stating, that in common with all the inhabitants of the several townships in the neighbourhood of the city, they are grievously oppressed by those, who indulge themselves in hunting and shooting in and near the high roads, and through the lands of farmers and others. The petitioners therefore pray, that the laws heretofore passed on the subject, may be amended; and the same was read, and

Laid upon the table.

Mr. M<sup>r</sup>Arthur presented the petition of the subscribers thereto, inhabitants of Venango county; stating, that they view with pleasure the recommendation of the Governor on the improvement of roads. They therefore pray the attention of the Legislature, to the situation of the roads, in that part of the State; and the same was twice read, and referred to the committee to whom was referred, on the fourteenth ultimo, the petitions on the same subject.

The bill, entitled "An act to provide for the erection of a house for the employment and support of the poor, in the county of Franklin," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have pas-

sed the said bill with amendments, in which the concurrence of that House is requested.

The amendments are—

Introduce a new section between section II, and III, of the printed bill, viz.

“Section III. *And be it further enacted by the authority aforesaid*, That every director elected in manner aforesaid, or appointed as is directed by the twelfth section of this act, shall within ten days after he is notified of such election or appointment, and before he enters on the duties of the said office, take an oath or affirmation, which any justice of the peace of the said county, is hereby authorized to administer, that he will discharge the office of director of the poor for the said county, truly, faithfully and impartially, to the best of his knowledge and ability; and in case of neglect, or refusal to take the oath or affirmation, within the time aforesaid, he shall forfeit and pay the sum of twenty dollars, for the use of the poor of the said county, which fine shall be recovered by the directors for the time being, as debts of equal amount are or shall be by law recoverable.”

Number the remaining sections accordingly.

The Clerk of the House of Representatives presented for concurrence, the bills and resolution, entitled as follow, to wit:

1. An act granting a sum of money to the trustees of the Reading academy, for the use of the said academy.”

2. “An act making appropriations for improving the road leading from Milesburg, in Centre county, to Waterford, in Erie county.”

3. “An act to alter the time for holding the June fair, in the borough of Lancaster.”

4. “Resolution for the prevention of the importation of slaves.”

And he presented for signature, the bills entitled as follow, to wit:

1. "An act to incorporate the Philadelphia society for the encouragement of domestic manufactures."

2. "An act to enable James Maris and Samuel Davis, administrators to the estate of Thomas West, deceased, to sell and convey certain real estate therein mentioned."

3. "An act establishing and confirming the place for holding the courts of justice in the county district of Potter."

Whereupon,

The Speaker signed the said bills.

The bill, entitled "An act to repeal the nineteenth section of the act to regulate the general elections within this Commonwealth," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put.

A motion was made by Mr. Miller and Mr. Sommer, to postpone the further consideration of that question, and the bill, for the present.

Which was agreed to.

Agreeably to the order of the day, the Senate resumed the consideration of the "Resolution respecting the publication of laws of a general nature in the newspapers," together with the Governor's objections thereto; and

After some time,

The Yeas and Nays on the question, "*Shall this resolution pass?*" were taken, and are as follow, to wit:

YEAS.

1. Mr. Dorsey,
2. Mr. Hart,
3. Mr. Heister,
4. Mr. Laird,
5. Mr. Martin,
6. Mr. McArthur,

NAYS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Mayer,
4. Mr. Mewhorter,

YEAS.

7. Mr. Mitchell,
8. Mr. Pennell,
9. Mr. Rahm,
10. Mr. Vance,
11. Mr. Wayne,
12. Mr. Lane, *Speaker.*

NAYS.

5. Mr. Miller,
6. Mr. Richards,
7. Mr. Slaymaker,
8. Mr. Sommer.

Twelve Yeas and eight Nays, by which appeared, that two thirds of the Members present not concurring, (and which the Constitution in such cases requires) the question was determined in the negative.

The bill, entitled "An act for raising by way of lottery, the sum of six thousand dollars for defraying the expence of making an aqueduct, to conduct water into the town of Meadville, and for other purposes," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Hart in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with amendments, which were read as reported.

The bill, entitled "An act for the sale of vacant unimproved land within certain parts of this Commonwealth," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Richards in the Chair) for the further consideration thereof; and

After some time,

The committee rose, reported progress, and had leave to sit again on Monday, the ninth instant.

On motion,

The Senate resumed in committee of the whole, (Mr. Richards in the Chair) the consideration of the bill, entitled "An act for the relief of Francis Johnston," and

After some time,

The committee rose, and reported the bill with the first section negatived.

Mr. Vance from the committee appointed for that purpose, Reported:

That the committee in conjunction with the committee of the House of Representatives, have, this day, presented to the Governor for his approbation, the bills and resolutions, entitled as follow, to wit:

1. "An act for the relief of Abraham Griffiths."
2. "A supplement to an act, entitled "An act to provide for the erection of a house for the employment and support of the poor in the county of Dauphin."
3. "An act for the relief of Jeremiah Loughrey."
4. "An act establishing and confirming the place, for holding the courts of justice in the county district of M'Kean."
5. "An act declaring part of Brush creek, in the county of Bedford, and parts of Allegheny river and Oswayo and Conondau creeks, in the counties of Potter and M'Kean, and Bald-Eagle creek in Centre county, public streams or highways."
6. "An act authorizing the Governor to incorporate a company for making an artificial road from Harrisburg, through Lewistown and Huntingdon, to Pittsburg."
7. "An act for the relief of James Ralston."
8. "An act for the relief of Doctor Samuel Edmiston."
9. "An act for the relief of Gasper Driver."
10. "An act appointing a trustee in Centre county."
11. "An act for the relief of William Sherrard."
12. "An act to enable Jonathan Mifflin, to convey part of a certain tract of land, therein mentioned."
13. "An act to encourage the killing of squirrels and crows, within certain parts of this Commonwealth."
14. "An act to raise by way of lottery sundry sums of money, for the purposes therein mentioned."
15. "An act to enable Abraham Riest and Jacob Hostetter, to sell and convey a certain lot of ground therein mentioned."
16. "An act for the relief of Andrew Patterson."
17. "An act granting to Joseph Salmon, a tract of donation land in remuneration for his services and sufferings during the revolutionary war."
18. "An act to enable Anna Maria Hanke, the wife of Matthew Hanke, late Anna Maria Eyerly, widow and relict of Jacob Eyerly, junior, late of Nazareth,

in the county of Northampton, deceased, and administratrix *de bonis non*, of the said Jacob Eyerly, junior, with the Will annexed, to convey certain lands therein mentioned."

19. "A supplement to an act, entitled "An act to enable the Governor of this Commonwealth, to incorporate a company for opening a canal and lock navigation, between the rivers Schuylkill and Susquehanna, by the waters of Tulpehocken, Quittapahilla and Swatara, in the counties of Berks and Dauphin."

20. "A resolution for the distribution of the seventh volume of Bioren's edition of the laws, and one copy of Carey and Bioren's edition of the laws of this Commonwealth."

21. "A resolution directing the Surveyor-general, to prepare and furnish, certain maps, drafts, &c."

Adjourned till 10 o'clock, to-morrow morning.

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*Tuesday, March 3, 1807.*

Mr. M'Arthur presented the petition of the subscribers thereto, inhabitants of the county of Venango; stating, that by the act of the fifth of April, 1802, Marcus Hulings was authorized to build a toll bridge over French creek, at the town of Franklin, which was frustrated by a flood in the spring of 1805, which carried away the timber prepared for that purpose; that it now appears impracticable to build a bridge over that creek with wood alone; that the said Hulings has abandoned the design of building the said bridge and joins with the petitioners in praying for an act, authorizing them to raise by way of lottery seven thousand dollars, for the purpose of building the said bridge; and the same was twice read, and referred to Mr. M'Arthur, Mr. Slaymaker and Mr. Rahm, to consider and report thereon.

Mr. Miller from the committee to whom was referred, on the twelfth day of December last, the second

item of the report of unfinished business, to wit : The bill, entitled " An act for the relief William Henry Kilbuck," with the said bill, made report as follows :

That they have duly attended to the subject matter contained therein, and are fully sensible of the important services which the said William Henry Kilbuck has rendered, in giving frequent information of the hostile designs of the savages against the white inhabitants, on the frontier settlements of the western parts of this State, during the American revolutionary war, and thereby preventing great damage which might otherwise have taken place, and that he had been instrumental in saving the lives of several prisoners who had been taken by them.

That the officers stationed at Fort Pitt and other frontier posts, entertained a high sense of the important services rendered by him is fully attested. It further appears, that at the close of the war, he the said Kilbuck settled on a small island below Fort Pitt, then called Smoke or " Smokes island," and that the officers of the day had promised to assist in procuring him a title for the same : That the petitioner is justly entitled to the compensation he prays for, or an equivalent in some other way, the committee entertain the firmest belief ; but as it appears that he has abandoned the small improvement he had made on the said island, and has removed to the Muskingum, where it appears he has of late resided, but in what capacity, whether as a hunter and wandering from place to place, as a solitary individual, or having a wife or family to provide for is desirous of forming a residence ; or that by granting him a title in fee simple to the island, would be giving him that aid which would be best calculated to reward him, for those services which by the grant is intended to be afforded, the committee entertain some doubt : Under this impression and with a view of gaining more full evidence of his situation and circumstances, they have agreed to report the following resolution, viz.

Resolved, That the aforesaid item together with the documents, be recommended to the attention of the succeeding Legislature.

Mr. Mayer from the committee to whom was referred, on the thirteenth January last, the petition of the subscribers thereto, inhabitants of the town of Columbia, in the county of Lancaster, made report, which was read as follows, to wit:

That after giving the prayer of the petitioners that consideration which the nature of the case in the opinion of the committee demands, are disposed to report in their favor: They therefore offer the following resolution:

Resolved, That a committee be appointed to bring in a bill, agreeably to the object of the petitioners.

The Speaker laid before the Senate a further report from the trustees of Potter county; stating, that an error had been made in the proposals of John Keating, for the seat of justice in that county, and that instead of one hundred and twenty acres, there are but ninety acres for the plot of the town of Coudersport, which does not however affect the proposals, as Mr. Keating has confirmed the offer of sixty acres for the said town; and the said report was read, and

Laid upon the table.

On motion of Mr. Brady and Mr. Wayne,

Agreed, That the committee to whom was referred, on the eighth December last, the third item of the report of the committee on the Governor's address, to wit: "On the penal code," be discharged.

The bill, entitled "An act to incorporate the Meadville academy, and to establish the same," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Miller in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with amendments, which were read as reported.

The resolution founded on certain resolutions from the State of Kentucky, read on the twenty-sixth ultimo,



was again read, and referred to Mr. Vance, Mr. Harris and Mr. Dorsey, to consider and report thereon.

On motion of Mr. Hart and Mr. Wayne,

The Senate resumed the consideration of the bill, entitled "An act to repeal the nineteenth section of the act to regulate the general elections, within this Commonwealth," postponed for the present, yesterday.

The question, "*Shall this bill pass?*" recurring, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The Clerk of the House of Representatives informed, that that House have concurred in the amendment by Senate, to the bill, entitled "An act to provide for the erection of a house for the employment and support of the poor, in the county of Franklin."

And he presented for signature, two bills, entitled as follow, to wit:

1. "An act to enable Thomas Alleson and Samuel Agnew, to sell and convey certain lands therein mentioned."

2. "An act for the relief of James Smith."

Whereupon,

The Speaker signed the said bills.

The bill, entitled "An act directing the manner, in which the dockets of justices of the peace of this Commonwealth, shall be acted on, whose commissions have or hereafter may be vacated by death, resignation, removal from office or otherwise," as reported by special committee on the twenty-fifth ultimo, to whom it had been recommitted, was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "A further supplement to the act, entitled "An act to incorporate the city of Philadelphia," which originated in Senate, was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Hart in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with amendments, which was read as reported.

The petition of the subscribers thereto, inhabitants of the county of Philadelphia, respecting the injuries arising from fowlers, read yesterday, was again read, and referred to the Members representing the first district, to consider and report thereon.

On motion of Mr. Hart and Mr. Pennell,

The Senate resumed the consideration of the bill, entitled "An act for the relief of Charles Thompson," postponed for the present on the eighteenth ultimo.

The consideration of the motion of Mr. Sommer and Mr. Wertz, to strike out the sum to be awarded Mr. Thompson, for the purpose of inserting a different sum, recurring.

A division of the question, was called for.

Whereupon,

The question, on striking out, being put, was determined in the affirmative.

Thereupon, it was

Moved by Mr. Wayne and Mr. Hart, to fill the the blank with "five thousand one hundred and twenty dollars"

Which was not agreed to.

Moved by Mr. Sommer and Mr. Wayne, to fill it with "four thousand dollars"

Which was also disagreed to.

Whereupon,

On motion of Mr. Harris and Mr. Sommer,

Agreed, That the blank be filled with "three thousand dollars"

The section as amended was adopted.

The preamble and title being agreed to.

Ordered, That the said bill be prepared for the third reading.

The bill, entitled "A further supplement to the act, to incorporate the city of Philadelphia," which originated in the House of Representatives, was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.  
Adjourned 'till 10 o'clock, to-morrow morning.

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*Wednesday, March 4, 1807.*

Mr. Vance presented the petition of the council of the borough of Canonsburg, in the county of Washington, stating some difficulties, which have arisen under the act incorporating the said borough, and praying for an act amendatory thereof; and the same was twice read, and referred to Mr. Vance, Mr. Miller and Mr. Laird, to consider and report thereon, by bill or otherwise.

Mr. Vance from the committee to whom was referred, on the twenty-seventh ultimo, the memorial of the executors and devisees of Samuel Glasgow, late of Fayette county, on leave then given, reported the bill, entitled "An act to enable Matthew Gant and William Espy, to sell and convey certain lands therein mentioned," which was read the first time,

The bill, entitled "An act directing the manner, in which the dockets of justices of the peace of this Commonwealth, shall be acted on, whose commissions have or hereafter may be vacated by death, resignation, removal from office or otherwise," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act for the relief of Charles Thompson," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with one amendment, in which the concurrence of that House is requested.

Which amendment is—

That the sum awarded Mr. Thompson be "three thousand" instead of "two thousand dollars"

On motion of Mr. Brady and Mr. M'Arthur,

The Senate resumed the consideration of the fifteenth item, of the report of unfinished business, to wit: "The report of the committee on the application of General John Steele," postponed for the present, on the twelfth December last.

Whereupon,

The said report was referred to Mr. Brady, Mr. Miller and Mr. Vance, to consider and report thereon, by bill or otherwise.

The Clerk of the House of Representatives informed, that that House have concurred in part of the amendments by Senate, to the bill, entitled "An act to prohibit the distilling and boiling of turpentine and oil, and the manufacturing of varnish, within the city of Philadelphia and its neighbourhood," but that they have non-concurred the following, to wit:

Section I, line 7, after the word "place" insert "except in fire-proof buildings"

Same line, strike out the words "Broad-street" and insert "Ninth-street from Delaware"

Section II, line 9, after the word "place" insert "except as before excepted"

Line 13, strike out the words "of oil"

He further informed, that the House of Representatives have concurred in the amendments by Senate, on the bill, entitled "An act to regulate the fisheries in the river Susquehanna and its branches," except the following, viz.

Section I, lines 12 and 21, strike out "or other device"

Lines 15 and 23, between the words "net driver" insert "or" and strike out "or device"

Lines 27 and 28, strike out "and fifty"

And he presented for signature, the bill, entitled "An act to provide for the erection of a house for the employment and support of the poor, in the county of Franklin."

Whereupon,

The Speaker signed the said bill.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I HAVE, this day, approved and signed the following acts and resolutions of the General Assembly, and directed the Secretary to return the same to the Houses: in which they respectively originated, to wit:

1. "An act enabling Anna Maria Hanke, the wife of Matthew Hanke, late Anna Maria Eyerly, widow and relict of Jacob Eyerly, junior, late of Nazareth, in the county of Northampton, deceased, and administratrix *de bonis non*, of the said Jacob Eyerly, junior, with the Will annexed, to convey certain lands therein mentioned."

2. "An act for the relief of Abraham Griffiths."

3. "An act for the relief of Doctor Samuel Edmiston."

4. "An act for establishing and confirming the place for holding the courts of justice in the county district of M'Kean."

5. "An act appointing a trustee in Centre county."

6. "An act for the relief of Andrew Patterson."

7. "An act to enable Jonathan Mifflin, to convey a part of a certain tract of land therein mentioned."

8. "An act for the relief of James Ralston."

9. "An act for the relief of William Sherrard."
10. "An act declaring part of Brush creek, in the county of Bedford, and parts of Allegheny river and Oswaye and Conondau creeks, in the counties of Potter and M'Kean, and part of Bald-Eagle creek, in the county of Centre, public streams or highways."
11. "An act to raise by way of lottery sundry sums of money, for the purposes therein mentioned."
12. "A supplement to an act, entitled "An act to enable the Governor of this Commonwealth, to incorporate a company for opening a canal and lock navigation, between the rivers Schuylkill and Susquehanna, by the waters of Tulpehocken, Quittapahilla and Swatara, in the counties of Berks and Dauphin."
13. "An act authorizing the Governor to incorporate a company for making an artificial road from Harrisburg, through Lewistown and Huntingdon, to Pittsburg."
14. "An act for the relief of Jeremiah Loughrey."
15. "An act to encourage the killing of squirrels and crows, in certain parts of this Commonwealth."
16. "A supplement to the act, entitled "An act to provide for the erection of a house for the employment and support of the poor, in the county of Dauphin."
17. "An act granting to Joseph Salmon, a tract of donation land in remuneration for his services and sufferings during the revolutionary war."
18. "An act for the relief of Gasper Driver."
19. "An act to enable Abraham Riest and Jacob Hostetter, to sell and convey a certain lot of ground therein mentioned."
20. "A resolution for distributing the seventh volume of Bioren's edition of the State laws."
21. "A resolution required the Surveyor-general, on application, to furnish certified copies of draughts of depreciation and donation lands, for the commissioners of the counties, in which they lie."

THOMAS M'KEAN.

*Lancaster, March 4, 1807.*

The bill, entitled "An act to incorporate trustees for the Meadville academy, and to establish the same," as reported by committee of the whole, yesterday, was considered by section, and, agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act to alter and amend the act, entitled "An act to provide for the settlement of the public accounts, and for other purposes therein mentioned," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Vance in the Chair) for the further consideration thereof; and

After some time,

The committee rose, reported progress, and had leave to sit again on Saturday the seventh instant.

The bill, entitled "An act respecting black and mulattoe persons," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Richards in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill without amendment.

Adjourned 'till 10 o'clock, to-morrow morning.

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*Thursday, March 5, 1807.*

Mr. Dorsey presented the memorial of the subscribers thereto, livery-stable keepers, of the city of Philadelphia; stating, that in the course of their business, they are subjected, to loss and vexatious law suits, in consequence of their not being allowed by the existing laws, to detain horses for the monies, due on the keeping of such horses. The memorialists therefore pray, that they may be placed upon the same footing with

those person, who have claims under a law of this State, for securing to mechanics and others payment for their labour and materials, furnished in erecting buildings in the city of Philadelphia, &c. and the said memorial was read, and

Laid upon the table.

Mr. Rahm presented the petition of George Parsons, of Dauphin county; stating, that he was enlisted in Captain Robinson company of rangers, for and during the war, that he served the time, for which he was enlisted, that while in service he received a wound in his hand, which has rendered him unable to support his family; he therefore prays relief; and the said petition was twice read, and referred to Mr. Rahm, Mr. Heister and Mr. Dorsey, to consider and report thereon.

Mr. McArthur from the committee to whom was referred, the petition of the subscribers thereto, inhabitants of the county of Venango, read on the third instant, on leave now given, reported the bill, entitled "An act to raise by way of lottery a sum not exceeding seven thousand dollars, for the purpose of erecting a bridge over French creek, opposite the town of Franklin, in the county of Venango," which was read the first time.

On motion of Mr. Dorsey and Mr. Heister,

Agreed, That the committee appointed on the twentieth January, to join a committee of the House of Representatives, on the disagreement between the two Houses, on the joint rules, be discharged.

The bill, entitled "An act to incorporate trustees for the Meadville academy, and to establish the same," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.



On motion of Mr. Brady and Mr. Miller,

The Senate resumed the consideration of the bill, entitled "A supplement to an act authorizing the Governor to incorporate a company, for making an artificial road from Harrisburg to Pittsburg," postponed for the present, on the twenty-eight ultimo.

The consideration of the question, "*Shall this bill pass?*" recurring, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence of that House is requested,

The amendments are—

Strike out "Jones' mill" and insert "M'Connells-town" as a point in the route of said road.

Strike out the names of "Robert Dickey, James Brady" and insert "John Irwin, Hugh Martin, John M. Snowden," as commissioners to receive subscriptions in Westmoreland county.

Strike out the XXVII section.

Amend the title, so as to read thus, "A supplement to the act, entitled "An act authorizing the Governor to incorporate a company, for making an artificial road from the bank of the river Susquehanna, opposite the borough of Harrisburg to Pittsburg."

Make this alteration wherever the title is recited in the body of the bill.

The bill, entitled "An act to enable Sarah Morgan, administratrix, and Jonathan Morgan, administrator, to the estate of Isaac Morgan, deceased, to convey a tract of land in Charlestown township, Chester county," was read the second time, considered by section and agreed to, with some verbal amendments.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act annexing part of Northumberland county, to the county of Lycoming," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Sommer in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill without amendment.

The "Resolution for the distribution of the Journals of the General Assembly in the German language," was read the second time, and referred to Mr. Brady, Mr. Miller, Mr. Vance, Mr. Heister and Mr. Sommer, to consider and report thereon.

The bill, entitled "A further supplement to the act, to incorporate the city of Philadelphia," was read the third time.

Whereupon, by unanimous consent,

The title was altered, so as to read "An act to prevent the recorder of the city of Philadelphia, from practising as an attorney or counsellor, in any court of justice in this Commonwealth or elsewhere," and

Thereupon,

The Yeas and Nays on the passage on the said bill, were required by Mr. Wayne and Mr. Hart, and on the question, being put, the Members voted as follow, to wit:

YEAS.

1. Mr. Dorsey,
2. Mr. Hart,
3. Mr. Heister,
4. Mr. Laird,
5. Mr. Martin,
6. Mr. M<sup>r</sup>Arthur,

YEAS.

7. Mr. Pennell,
8. Mr. Rahm,
9. Mr. Spangler,
10. Mr. Vance,
11. Mr. Lane, *Speaker*.

NAYS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Mayer,
4. Mr. Mewhorter,

NAYS.

5. Mr. Richards,
6. Mr. Slaymaker,
7. Mr. Sommer,
8. Mr. Wayne.

(Mr. Miller who was absent during the discussions on the previous stages of the bill, was at his request excused voting on this question.)

Eleven Yeas and eight Nays, by which it appeared that the question was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with its title amended, in which amendment the concurrence of that House is requested.

On motion of Mr. Pennell and Mr. Brady,

The Senate resumed in committee of the whole, (Mr. Richards in the Chair) the consideration of the bill, entitled "An act for the establishment of schools throughout this Commonwealth," and

After some time spent therein,

The committee rose, and reported the bill with the first section negatived.

Whereupon, it was

Moved by Mr. Brady and Mr. Pennell,

That the report of the committee of the whole, be again read and considered.

Which was not agreed to.

The Clerk of the House of Representatives presented for concurrence, the bill, entitled "A supplement to an act, entitled "An act for the more speedy and effectual collection of certain debts due to this Commonwealth," and

"A resolution relative to the conflicting claims of certain actual settlers, and certain warrantees to lands lying north and west of the rivers Ohio and Allegheny and Conewango creek."

And he presented for signature, the bill, entitled "An act to repeal the nineteenth section of the act to regulate the general elections within this Commonwealth."

Whereupon,

The Speaker signed the said bill.

The bill and resolution presented for concurrence, were read the first time.

The bill, entitled "An act making appropriation for the erection of a monument to the memory of the late Major-general Mifflin," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with one amendment, which was read as reported.

Thereupon,

On motion of Mr. Sommer and Mr. Wayne, and by special order, the said bill as reported by committee of the whole, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act for raising by way of lottery, the sum of six thousand dollars, for defraying the expence of making an aqueduct, to conduct water into the town of Meadville, and for other purposes," as reported by committee of the whole, on the second instant, was considered by section.

Section I, being under consideration.

A motion was made by Mr. M'Arthur and Mr. Wayne, to amend the section, by adding "John Inskeep" to the commissioners named therein.

Which was agreed to, and the section as amended adopted.

Sections II, III, IV, V, VI, and VII, were severally agreed to.

On motion of Mr. M'Arthur and Mr. Mayer, the following was introduced and adopted, as

Section VIII. "*And be it further enacted by the authority aforesaid, That the court of quarter sessions of the peace be, and the same is hereby authorized and required whenever it shall be necessary, to appoint two judicious citizens, who with the county commissioners, shall be auditors to adjust and settle the accounts of the commissioners mentioned in the fourth section of this act, and the said auditors shall allow the said commissioners, respectively, such compensation for their*

services necessarily employed under this act, as the said auditors shall think just and reasonable; and it shall be the duty of the said auditors, to report to the court of quarter sessions of the peace, whether the said commissioners have discharged the duties of their trust, according to the true intent and meaning of this act, which report if approved of, the court shall direct that the said commissioners be discharged from any further responsibility."

The title of the bill being agreed to.

Ordered, That the said bill be prepared for the third reading.

Moved by Mr. Brady and Mr. Pennell,

Resolved, That the Clerk of the Senate be, and he is hereby directed, to procure for the use of Senate, one full and complete copy of the laws of the United States.

Ordered, to lie upon the table.

The bill, entitled "An act to authorize and empower Priscilla Dill, widow of Thomas Dill, deceased, William Wireman, senior, and William Wireman, junior, guardians of the minor children of Thomas Dill, and administrators to the estate of Caleb Dill, deceased, to sell and convey two several tracts of land, in Manahan township, in the county of York," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Wayne in the Chair) for the further consideration thereof; and

After some time,

The committee rose, reported progress, and had leave to sit again on Saturday, the fourteenth instant.

The message from the House of Representatives informing, that that House have concurred in some, and not concurred in other of the amendments by Senate, on the bill, entitled "An act to regulate the fisheries in the river Susquehanna and its branches," read yesterday, was again read.

Whereupon,

Resolved, That Senate do recede from their said amendments, not concurred by the House of Representatives on that bill; and

Ordered, That the Clerk acquaint the House of Representatives thereof.

The message from the House of Representatives informing, that that House have concurred in some, and not concurred in other of the amendments by Senate, on the bill, entitled "An act to prohibit the distilling and boiling of turpentine and oil, and the manufacturing of varnish, within the city of Philadelphia and its neighbourhood," read yesterday, was again read.

Whereupon,

Resolved, That Senate do not recede from their said amendments, not concurred in by the House of Representatives on that bill, except that in section II, line 13, from which they do recede; and

Ordered, That the Clerk acquaint the House of Representatives thereof.

Adjourned till 10 o'clock, to-morrow morning.

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*Friday, March 6, 1807.*

Mr. Brady presented the petition of Jacob Bottimore, of Westmoreland county; stating, that he enlisted as a soldier during the last war under Captain Daniel Burget, and served under him and others, four years and eight months, that he was wounded, and in consequence was confined for three months in the hospital of Philadelphia, that owing to the wound and his advanced age and infirmities, he is unable to support himself, he therefore prays relief; and the said petition was twice read, and referred to Mr. Brady, Mr. Miller and Mr. Harris, to consider and report thereon.

Mr. Sommer from the committee to whom was referred, on the third instant, the petition of the sub-

scribers thereto, inhabitants of Philadelphia county, respecting fowlers, on leave now given, reported the bill, entitled "An act to prevent shooting, on or near public roads or buildings," which was read the first time.

The bill, entitled "An act making appropriation for the erection of a monument, to the memory of the late Major-general Mifflin," was read the third time.

Whereupon,

The Yeas and Nays on the passage of the said bill, were required by Mr. Vance and Mr. Heister, and on the question, "*Shall this bill pass?*" being put, the Members voted as follow, to wit:

YEAS.

1. Mr. Brady,
2. Mr. Dorsey,
3. Mr. Harris,
4. Mr. Hart,
5. Mr. Laird,
6. Mr. Mayer,
7. Mr. Mewhorter,
8. Mr. Miller,

YEAS.

9. Mr. Rahm,
10. Mr. Richards,
11. Mr. Slaymaker,
12. Mr. Sommer,
13. Mr. Spangler,
14. Mr. Wayne,
15. Mr. Wertz.

NAYS.

1. Mr. Heister,
2. Mr. Martin,
3. Mr. M'Arthur,

NAYS.

4. Mr. Pennell,
5. Mr. Vance,
6. Mr. Lane, *Speaker*.

Fifteen Yeas and six Nays, by which it appeared that the question was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act for raising by way of lottery, the sum of six thousand dollars, for defraying the expence of making an aqueduct to conduct water into the town of Meadville, and for other purposes," was read the third time.

Whereupon,

The Yeas and Nays on the passage of the said bill, were required by Mr. Sommer and Mr. M'Arthur, and on the question, "*Shall this bill pass?*" being put, the Members voted as follow, to wit:

## YEAS.

1. Mr. Brady,
2. Mr. Dorsey,
3. Mr. Harris,
4. Mr. Hart,
5. Mr. Heister,
6. Mr. Laird,
7. Mr. Martin,
8. Mr. Mayer,
9. Mr. M'Arthur,

## NAYS.

1. Mr. Mewhorter,
2. Mr. Pennell,

## YEAS.

10. Mr. Miller,
11. Mr. Rahm,
12. Mr. Richards,
13. Mr. Slaymaker,
14. Mr. Spangler,
15. Mr. Wayne,
16. Mr. Wertz,
17. Mr. Lane, *Speaker*.

## NAYS.

3. Mr. Sommer,
4. Mr. Vance.

Seventeen Yeas and four Nays, by which it appeared that the question was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act to enable Sarah Morgan, administratrix, and Jonathan Morgan, administrator, to the estate of Isaac Morgan, deceased, to convey a tract of land in Charlestown township, Chester county," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the same with amendments, in which the concurrence of that House is requested.

(The amendments are merely verbal.)

The bill, entitled "An act annexing part of Northumberland county, to the county of Lycoming," as reported by committee of the whole, yesterday, was considered by section.

Section I, being under consideration.

After debate,

A motion was made by Mr. Harris and Mr. Brady, to postpone the further consideration of the section and bill for the present.

Which was agreed to.



The bill, entitled "An act to alter and amend an act, entitled "An act to establish a board of wardens for the port of Philadelphia, and for the regulation of pilots and pilotage, and for other purposes therein mentioned," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Hart in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and reported the bill with amendments, which were read as reported.

The Clerk of the House of Representatives presented for concurrence, the bill, entitled "An act to incorporate the Lancaster and Susquehanna insurance company," which was read the first time.

The bill, entitled "An act to extend the right of peremptory challenge to cases not hitherto provided for," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Richards in the Chair) for the further consideration thereof; and

After some time,

The committee rose, reported progress, and had leave to sit again on the twentieth instant.

The "Resolution relative to the conflicting claims of certain actual settlers and certain warrantees, to lands lying north and west of the rivers Ohio and Allegheny and Conewango creek," was read the second time, and referred to Mr. Vance, Mr. Harris, Mr. Sommer, Mr. M'Arthur and Mr. Martin, to consider and report thereon.

The "Resolution for the procuring a copy of the laws of the United States," read yesterday, was again read, and being under consideration.

A motion was made by Mr. Dorsey and Mr. Wayne, to amend the resolution, by inserting two copies.

Which was not agreed to.

The resolution was adopted.

The report of the committee to whom was referred, the petition of the subscribers thereto, inhabitants of the town and vicinity of Columbia, in the county of Lancaster, read on the third instant, was again read, and the resolution, to wit:

“Resolved That a committee be appointed to bring in a bill, agreeably to the object of the petitioners.”

Being under consideration.

The question, on agreeing thereto, being put, was determined in the negative.

The Clerk of the House of Representatives informed, that that House have concurred in the amendments by Senate, to the bill, entitled “An act granting to the trustees of the University of Pennsylvania, a sum of money for the purpose of enabling them to establish a botanical garden.”

But that they insist on their disagreement to the amendments by Senate, on the bill, entitled “An act to prohibit the distilling and boiling of turpentine and oil, and the manufacturing of varnish, within the city of Philadelphia and its neighbourhood,” and have appointed Messrs. Binney, Leib and Webb, a committee to confer with a committee of Senate, (if Senate should appoint such committee) on the subject of said amendments.

He informed further, that the House of Representatives have concurred in the amendments by Senate, to the bill, entitled “A further supplement to the act to incorporate the city of Philadelphia.”

And to the bill, entitled “A supplement to an act authorizing the Governor to incorporate a company, for making an artificial road from Harrisburg, to Pittsburg,” except that of striking out the XXVII, section, and numbering the following section, in which they do not concur.

The bill, entitled “An act for the relief of the representatives of John Fromberger, deceased,” as reported by special committee, on the thirteenth ultimo, was considered by section.

The first and only section being under consideration.

A motion was made by Mr. Sommer and Mr. Hart, to amend the section, by increasing the sum, to be awarded from "one thousand dollars" to "twelve hundred dollars"

Which was agreed to.

The preamble and title being agreed to.

Ordered, That the said bill be prepared for the third reading.

Moved by Mr. Wayne and Mr. Wertz.

Whereas from the quantity of bills, presented to the printer for Senate, it is impracticable for him, to have them printed in due time, from which circumstance much important business is retarded, and eventually will have to lie over until the next session of the Legislature, unless some provision be made in the premises: Therefore,

Resolved, That the Clerk procure to be printed such bills, as he finds the printer of the Senate, cannot print within the usual time.

Ordered to lie upon the table.

Adjourned 'till 10 o'clock, to-morrow morning

~~~~~  
*Saturday, March 7, 1807*

Mr. Laird presented the petition of the settlers thereto, inhabitants of the county of Northampton, stating, the difficulties which have arisen from the want of effect the turnpike between Reading and Northampton; that this road is one of the most important in the State; they therefore pray the attention of the Legislature, and suggest the propriety of the State appropriating twenty to thirty thousand dollars, to complete the turnpike; and the said petition was twice referred to Mr. Laird, Mr. Martin, Mr.

Harris and Mr. Heister, to consider and report thereon. .

Mr. Spangler presented the petition of the subscribers thereto, inhabitants of the borough of York, praying to be enabled to raise by way of lottery three thousand dollars, for the purpose of supplying the said borough with water; and the same was twice read, and referred to Mr. Spangler, Mr. Miller and Mr. Vance, to consider and report thereon.

The Speaker laid before the Senate a statement of the account of the contingent expences of the Executive Department, between the first of April, 1806, and the first of January, 1807; and an estimate of the probable expenditures from thence till the first of April following, to wit:

| 1806.            |                                                                                                                                                                                                     | <i>Dolls. Cts.</i> |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| <i>March 7,</i>  | For cash paid for sundry stationary, furnished for the use of the Executive Department, from October twenty-fourth to November twenty-ninth, eighteen hundred and five, (omitted in last account) . | 8 75               |
| <i>April 12,</i> | For cash to W. W. Woodward, for the Philadelphia Directory                                                                                                                                          | 1                  |
| <i>May 20,</i>   | For cash to David Neiss, junior, for ruling and lettering a book of record                                                                                                                          | 1 25               |
| <i>June 23,</i>  | For cash paid for binding two large blank books, including the price of paper, &c.                                                                                                                  | 23 10              |
| <i>July 1,</i>   | For cash paid to Amor Marshall, for five thousand large wafers for the great seal; six thousand for the less seal, and one pound of letter wafers                                                   | 44 50              |
|                  | Carried forward                                                                                                                                                                                     | <hr/> \$ 78 60     |

1806.

Dolls. Cts.

78 60

## Brought forward

|                 |                                                                                                                                                                                                                   |                    |     |
|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----|
| <i>July</i> 1,  | For cash paid to John Hastings, the amount of his account, for his expences in going to Philadelphia, with public papers, to be used on the part of the State in the trial of Springetsbury maner, in York county | 15                 |     |
|                 | For cash paid to Thomas Butcher, for George Moore, postage                                                                                                                                                        | 43                 | 41  |
|                 | For cash paid to Thomas Butcher, as door-keeper, &c.                                                                                                                                                              | 111                | 81  |
|                 | For cash paid for one quarter's clerk-hire                                                                                                                                                                        | 475                |     |
|                 | For cash paid Samuel White, for quills                                                                                                                                                                            |                    | 8   |
|                 | For cash paid Francis Bailey, for printing five reams of tavern licences                                                                                                                                          | 100                |     |
| <i>Oct.</i> 1,  | For cash paid Thomas Butcher, for George Moore postage                                                                                                                                                            | 27                 | 22  |
|                 | For cash paid Thomas Butcher, as door-keeper, &c.                                                                                                                                                                 | 91                 | 13  |
|                 | For cash for one quarter's clerk-hire                                                                                                                                                                             | 475                |     |
| 23,             | For cash paid David Johnston, for postage from July first, one thousand eight hundred and five, to September thirtieth, one thousand eight hundred and six                                                        | 22                 | 4   |
|                 | For cash paid for one cord of wood and sawing                                                                                                                                                                     | 5                  | 88½ |
| <i>Nov.</i> 10, | For cash paid for one skin of parchment                                                                                                                                                                           | 75                 |     |
|                 | For cash paid for gum-arabic                                                                                                                                                                                      | 2                  | 10  |
| 12,             | For cash paid for hauling the Cumberland county box of books, from Harrisburg to Carlisle                                                                                                                         | 3                  |     |
| Carried forward |                                                                                                                                                                                                                   | <hr/> \$ 1,456 94½ |     |

1806.

Dolls. Cts.

Brought forward

\$ 1,456 94½

|                 |                                                                                         |       |
|-----------------|-----------------------------------------------------------------------------------------|-------|
| <i>Nov.</i> 14, | For cash paid for binding a blank book                                                  | 1     |
| 18,             | For cash paid for three quarters cord of wood                                           | 4 12½ |
| 20,             | For cash paid Andrew Keller, services as messenger during the illness of Thomas Butcher | 1     |
| 21,             | For cash paid for one ream of large demy paper                                          | 10    |
| 24,             | For cash paid for two cords of wood                                                     | 10 50 |
|                 | For cash paid John Osler, repairing Governor's desk                                     | 2 45  |
| <i>Dec.</i> 4,  | For cash paid to James Clendennin, for glazing                                          | 1 50  |
| 23,             | For cash paid for three quarters cord of wood                                           | 3 50  |
|                 | For cash paid David Barton, for ribben and tape                                         | 87    |
|                 | For cash to Samuel Fahnestock for gum-arabic                                            | 1 50  |

1807.

|                 |                                                                 |       |
|-----------------|-----------------------------------------------------------------|-------|
| <i>Jan.</i> 1,  | For cash paid for one quarter's clerk-hire                      | 475   |
|                 | For cash paid John Osler, as messenger, &c.                     | 81 11 |
|                 | For cash paid George Moore, for stationary                      | 13 21 |
|                 | For cash paid Gorge Moore, for postage                          | 56 50 |
|                 | For cash paid Samuel White, for quills                          | 3     |
|                 | For cash paid John R. Matthews, for printing proclamations, &c. | 22    |
| <i>April</i> 1, | To be paid for one quarter's clerk-hire                         | 475   |

Carried forward

\$ 2,619 21

1807.

Dolls. Cts.

|          |                                    |                  |
|----------|------------------------------------|------------------|
|          | Brought forward                    | \$ 2,619 21      |
| April 1, | The amount of printing will proba- |                  |
|          | bly be                             | 200              |
|          | of postage                         | 50               |
|          | of stationary                      | 15               |
|          | of fire-wood and sawing            | 19               |
|          | of blank books                     | 12               |
|          | of messengers wages                | 80               |
|          | Sum total                          | Dollars 2,995 21 |

The Speaker also laid before the Senate. The report of John M'Kissick, Receiver-General, in pursuance of the act of fourth April, one thousand eight hundred and five, directing that officer to exhibit an account the expenditure of the extra appropriation to the office of the Receiver-General of the Land-office; from which the following is abstracted:

|                   |                                  |           |
|-------------------|----------------------------------|-----------|
| John M. Miller,   | in addition to his former salary |           |
|                   |                                  | \$ 112 50 |
| John Hudders,     | ditto                            | 37 50     |
| James M'Glaughlin |                                  | 300       |

---

\$ 450

|                                   |     |     |
|-----------------------------------|-----|-----|
| Unexpended, but will be wanted to |     |     |
| compensate clerks between first   |     |     |
| January and first April           | 150 |     |
|                                   |     | 600 |

The Receiver-General states, that a continuation of the same extra allowance is necessary.

Mr. Vance from the committee to whom was referred, on the fourth instant, the representation and petition of the council of the borough of Canonsburg, in the county of Washington, on leave now given, reported the bill, entitled "A supplement to an act, entitled "An act to erect the town of Canonsburg, in the coun-

## YEAS.

1. Mr. Brady,
2. Mr. Dorsey,
3. Mr. Harris,
4. Mr. Hart,
5. Mr. Heister,
6. Mr. Laird,
7. Mr. Martin,
8. Mr. Mayer,
9. Mr. M'Arthur,

## NAYS.

1. Mr. Mewhorter,
2. Mr. Pennell,

## YEAS.

10. Mr. Miller,
11. Mr. Rahm,
12. Mr. Richards,
13. Mr. Slaymaker,
14. Mr. Spangler,
15. Mr. Wayne,
16. Mr. Wertz,
17. Mr. Lane, *Speaker*.

## NAYS.

3. Mr. Sommer,
4. Mr. Vance.

Seventeen Yeas and four Nays, by which it appeared that the question was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act to enable Sarah Morgan, administratrix, and Jonathan Morgan, administrator, to the estate of Isaac Morgan, deceased, to convey a tract of land in Charlestown township, Chester county," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the same with amendments, in which the concurrence of that House is requested.

(The amendments are merely verbal.)

The bill, entitled "An act annexing part of Northumberland county, to the county of Lycoming," as reported by committee of the whole, yesterday, was considered by section.

Section I, being under consideration.

After debate,

A motion was made by Mr. Harris and Mr. Brady, to postpone the further consideration of the section and bill for the present.

Which was agreed to.



The bill, entitled "An act to alter and amend an act, entitled "An act to establish a board of wardens for the port of Philadelphia, and for the regulation of pilots and pilotage, and for other purposes therein mentioned," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Hart in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and reported the bill with amendments, which were read as reported.

The Clerk of the House of Representatives presented for concurrence, the bill, entitled "An act to incorporate the Lancaster and Susquehanna insurance company," which was read the first time.

The bill, entitled "An act to extend the right of peremptory challenge to cases not hitherto provided for," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Richards in the Chair) for the further consideration thereof; and

After some time,

The committee rose, reported progress, and had leave to sit again on the twentieth instant.

The "Resolution relative to the conflicting claims of certain actual settlers and certain warrantees, to lands lying north and west of the rivers Ohio and Allegheny and Conewango creek," was read the second time, and referred to Mr. Vance, Mr. Harris, Mr. Sommer, Mr. M'Arthur and Mr. Martin, to consider and report thereon.

The "Resolution for the procuring a copy of the laws of the United States," read yesterday, was again read, and being under consideration.

A motion was made by Mr. Dorsey and Mr. Wayne, to amend the resolution, by inserting two copies.

Which was not agreed to.

convey a tract of land in Charlestown township, Chester county."

On motion,

The third order of this day, to wit: The further consideration in committee of the whole, of the bill, entitled "An act to alter and amend the act, entitled "An act to provide for the settlement of the public accounts, and for other purposes therein mentioned," was discharged, and that bill postponed for the present.

The message from the House of Representatives informing, that that House have concurred in the amendments by Senate, on the bill, entitled "A supplement to the act, to authorize the Governor to incorporate a company, for making an artificial road from Harrisburg to Pittsburg," except the striking out of the twenty-seventh section, read yesterday, was again read.

Whereupon,

Resolved, That Senate do recede from their said amendment; and

Ordered, That the Clerk acquaint the House of Representatives thereof.

The message from the House of Representatives informing, that that House have insisted upon their disagreement to the amendments by Senate, on the bill, entitled "An act to prohibit the distilling and boiling of turpentine and oil, and the manufacturing of varnish, within the city of Philadelphia and its neighbourhood," and have appointed a committee of conference, read yesterday, was again read.

Whereupon,

Resolved, That Senate do insist upon their said amendments, and that Mr. Dorsey, Mr. Sommer and Mr. Pennell, be a committee, to join the committee of the House of Representatives, on the subject of the disagreement; and

That the Clerk acquaint the House of Representatives accordingly.

On motion of Mr. Brady and Mr. Wayne,

The following resolution was twice read considered and adopted.

Resolved, That a committee be appointed, to confer with a committee of the House of Representatives, if that House shall appoint such committee, to examine and report what business in their opinion ought to be attended to, and also at what time it would be advisable for the Legislature to adjourn.

Ordered, That Mr. Brady, Mr. Vanee and Mr. Dorsey, be the committee for that purpose; and

That the Clerk acquaint the House of Representatives thereof.

On motion of Mr. Miller and Mr. Spangler,

The Senate resumed the consideration of the report of the committee, on the subject of the claim of Alexander Robinson, postponed for the present on the thirtieth of January last.

The consideration of the resolution attached to the report, to wit:

"That a committee be appointed to bring in a bill, authorizing the accounting officers to settle the full amount of said certificate, with interest thereon, from the date thereof, for the use of the said Robinson."

Being again under consideration.

A motion was made by Mr. Wayne and Mr. Semmer, to amend the resolution, so as to read as follow, to wit:

"That a committee be appointed to bring in a bill, empowering Alexander Robinson to institute a suit against this Commonwealth, for the recovery of the amount of a depreciation certificate granted to Major Michael Ryan, and by him transferred to the said Alexander Robinson."

Which was not agreed to.

Whereupon,

The original resolution recurring.

The Yeas and Nays on adopting the same, were required by Mr. Miller and Mr. Hart, and on the question, being put, the Members voted as follow, to wit:

YEAS.

YEAS.

1. Mr. Brady,
2. Mr. Dorsey,

3. Mr. Harris,
4. Mr. Mewhorter,

YEAS.

5. Mr. Miller,
6. Mr. Mitchell,
7. Mr. Sommer,

NAYS.

1. Mr. Hart,
2. Mr. Heister,
3. Mr. Laird,
4. Mr. Martin,
5. Mr. Mayer,
6. Mr. M'Arthur,

YEAS.

8. Mr. Spangler,
9. Mr. Wayne,
10. Mr. Wertz.

NAYS.

7. Mr. Pennell,
8. Mr. Rahm,
9. Mr. Richards,
10. Mr. Vance,
11. Mr. Lane, *Speaker.*

Ten Yeas and eleven Nays, by which it appeared that the question was determined in the negative.

Adjourned till 10 o'clock, Monday morning.

*Monday, March 9, 1807.*

• Mr. Hart presented the petition of Margaret Kenner, Jacob Herman and Michael Caner, executors of the last Will of John Kenner, deceased; stating that Michael Spiegel, by his last Will, devised to Mary his wife, and Philip Dresher, and their heirs, all his lands and tenements; that a certain tract of sixteen acres of land, situate in Montgomery county, formed a part of the property of said Spiegel. That the widow afterwards intermarried with John Kenner, seized and possessed of the one moiety of the said sixteen acres of land, that Philip Dresher, by deed, conveyed the other half to John Kenner, the husband of the said Mary, who afterwards died without having disposed of the said estate, holden under the Will of her first husband, and without leaving any children or known heirs; that in consequence the said property has escheated to the Commonwealth. The petitioners therefore pray the attention of the Legislature to their case; and the same was twice read, and referred to Mr. Hart, Mr. Wayne,

and Mr. Sommer, to consider and report thereon, by bill or otherwise.

Mr. Dorsey from the committee to whom was referred, on the twenty-third ultimo, the petition of the grand-children, great-grand-children, and heirs of Captain Joseph Stiles, late of Philadelphia, made report, which was read as follows, to wit:

That from the documents and other testimonials, it appears that the said Joseph Stiles, was the nominal collector of the funding and carriage-taxes, for a certain district, in order to aid a certain Daniel Drais, who was considered as an honest character, the said Daniel Drais, however died insolvent, after having collected those taxes, whereby the said Joseph Stiles, though deriving no profit, became liable for a deficiency amounting to four thousand seven hundred and forty-four dollars, and fifty-three cents, that the whole of the estate of the said Joseph Stiles, if exposed to a forced sale, would in all probability, not equal three thousand dollars, from which must be deducted ground rents and other prior liens to the amount of about one thousand seven hundred dollars, leaving but one thousand three hundred dollars, and probably much less on which to seize.

The guardian of five orphan children, and the friends of the heirs, collectively, are of opinion, that if the Legislature in their wisdom and benevolence should think proper to exonerate the said property, from which so little can be derived, they have a reasonable hope, that by the abatement of some claims, together with frugal and well timed savings the said orphans and other heirs may be brought up without experiencing the sufferings of penury and want.

The committee, therefore, taking into consideration the foregoing circumstances, as well as the excellent character of the said Joseph Stiles, who was one of the first and firmest revolutionary characters, and an honest man: And further, that the whole of his personal estate has been faithfully paid toward, the discharge of the said taxes recommend, that a committee be appointed, to

bring in a bill conformably to the prayer of the petitioners.

Whereupon, on motion,

The said report was read a second time, considered and adopted.

Ordered, That the committee who brought in the report, be the committee to bring in a bill.

Mr. Rahm from the committee to whom was referred, on the fifth instant, the petition of George Parson, on leave now given, reported the bill, entitled "An act for the relief of George Parson," which was read the first time.

The bill, entitled "An act to alter and amend an act, entitled "An act to establish a board of wardens, for the port of Philadelphia, and for the regulation of pilots and pilotage, and for other purposes therein mentioned," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act granting a sum of money to the trustees of the Reading academy, for the use of the said academy, was read the third time."

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act granting two thousand dollars, to the commissioners of Erie county, for the purpose of erecting public buildings, for the use of said county," as reported by committee of the whole, on the seventh instant, was considered by section and agreed to.

Ordered, That the said bill be prepared for the third reading.

Agreeably to order, the Senate resumed in committee of the whole, (Mr. Richards in the Chair) the consideration of the bill, entitled "An act for the sale of vacant unimproved land, within certain parts of this Commonwealth," and

After some time,

The committee rose, and reported the bill with one amendment, which was read as reported.

The Clerk of the House of Representatives presented for signature, the bill, entitled "An act granting a sum of money, to the trustees of the Reading academy, for the use of said academy."

Whereupon,

The Speaker signed the said bill.

And he presented an extract from the Journal of that House, which was read as follows, to wit :

*"In the House of Representatives,  
March 7, 1807.*

Resolved, That a committee be appointed, to confer with a committee of Senate, (if Senate shall appoint such committee) to examine and report, what business in their opinion ought to be attended to, and also at what time it would be adviseable for the Legislature to adjourn; and

Ordered, That Messrs, Tarr, Lacock and Ingham be a committee for that purpose."

The bill, entitled "An act making appropriations for improving the road, leading from Milesburg, in Centre county, to Waterford, in Erie county," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill without amendment.

The resolution founded on certain resolutions of the State of Maryland, respecting the importation of slaves, was read the second time, and

Being under consideration.

A motion was made by Mr. Wayne and Mr. M'Arthur, to amend the resolution, by striking from the latter part of the preamble "promoting the cause of universal emancipation" and inserting in lieu thereof "to the discouragement of the importation of slaves"

Which was agreed to.

The resolution as amended was adopted.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said resolution with one amendment, in which the concurrence of that House is requested.

*(The amendment is as above.)*

The bill, entitled "An act establishing an academy in the borough of Wilkesbarre, in the county of Luzerne," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Miller in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill without amendment.

The bill, entitled "An act respecting black and mulattoe persons," as reported by committee of the whole, on the fourth instant, was considered by section.

Section I, being under consideration.

A motion was made by Mr. Wayne and Mr. Slaymaker, to amend the section, by striking from lines 7 and 8, the following, "from some court, within the United States of their actual freedom" (referring to the certificate of freedom) and inserting the following in place thereof:

"Under the hand and seal of their late master or mistress, or his or her legal representative, attested by some justice of the peace, of the State, wherein said master or mistress or his or her legal representative may reside, the commission of which justice of the peace shall be certified by the officer, who by the laws of said



State is authorized to certify the same. But if said black or mulattoe person, shall have been declared free by process of law, or if the freedom of said black or mulattoe person, shall in any way have been made a record of court, that then the black or mulattoe person aforesaid, shall produce a certificate of such record from the court, wherein said record may have been made"

Which was not agreed to.

The section was adopted.

Section II, being under consideration.

A motion was made by Mr. Wayne and Mr. Sommer, to amend the section, by exempting from the provisions thereof "those [black and mulattoe persons] who heretofore have been and now are legal voters; *and who shall hereafter become legal voters.*"

A division of the motion being called for.

The question was taken on the first sentence, ending at the word "and" where it last occurs, and determined in the negative.

Whereupon,

The Yeas and Nays on agreeing to the section, were required by Mr. Wayne and Mr. Wertz, and on the question, being put, the Members voted as follow, to wit :

YEAS.

1. Mr. Brady,
2. Mr. Dorsey,
3. Mr. Harris,
4. Mr. Hart,
5. Mr. Heister,
6. Mr. Lattimore,
7. Mr. Martin,

NAYS.

1. Mr. Laird,
2. Mr. Mayer,
3. Mr. McArthur,
4. Mr. Richards,
5. Mr. Slaymaker,

YEAS.

8. Mr. Mewhorter,
9. Mr. Miller,
10. Mr. Mitchell,
11. Mr. Pennell,
12. Mr. Rahm,
13. Mr. Vance,
14. Mr. Lane, *Speaker.*

NAYS.

6. Mr. Sommer,
7. Mr. Spangler,
8. Mr. Wayne,
9. Mr. Wertz,

Fourteen Yeas and nine Nays, by which it appeared that the question was determined in the affirmative.

Section IV, being under consideration.

A motion was made by Mr. Sommer and Mr. Wayne, to amend the section, by inserting the following next after the word "aforesaid" in line 5, "or unless he knows such black or mulattoe person to be free and can prove it to the satisfaction of a justice of the peace"

Which was determined in the negative.

The section was adopted.

The remaining section, with the title being agreed to.

Ordered, That the said bill be prepared for the third reading.

On motion of Mr. Vance and Mr. M'Arthur,

Agreed, That the first order of the day of the twentieth instant, to wit: The further consideration, in committee of the whole, of the bill, entitled "An act to extend the right of peremptory challenge to cases not hitherto provided for," be discharged.

Whereupon,

Ordered, That Thursday the twelfth instant, be assigned for the further consideration thereof.

Mr. Vance from the committee appointed for that purpose, reported:

That the committee in conjunction with the committee of the House of Representatives, have, this day, presented to the Governor for his approbation, the bills entitled as follow, to wit:

1. "An act to enable James Maris and Samuel Davis, administrators to the estate of Thomas West, deceased, to sell and convey certain real estate therein mentioned."

2 "An act establishing and confirming the place for holding the courts of justice, in the county district of Potter."

3. "An act to incorporate the Philadelphia society, for the encouragement of domestic manufactures."

4. "An act for the relief of James Smith."

5. "An act to enable Thomas Alleson and Samuel Agnew, to sell and convey certain lands therein mentioned."

6. "An act to provide for the erection of a house for the employment and support of the poor, in the county of Franklin."

7. "An act to repeal the nineteenth section of the act, to regulate the general elections, within this Commonwealth."

8. "An act granting a certain sum of money to the Reading academy, for the use of said academy."

Adjourned 'till 10 o'clock, to-morrow morning.

~~~~~  
*Tuesday, March 10, 1807.*

Mr. Brady from the committee to whom was referred, on the sixth instant, the petition of Jacob Bottimore, on leave now given, reported the bill, entitled "An act granting to Jacob Bottimore a tract of donation land," which was read the first time.

Mr. Brady from the committee to whom was referred, the fifteenth item of the report of unfinished business, to wit: The application of General John Steele, on leave then given, reported the bill, entitled "An act for the relief of John Steele," which was read the first time.

Mr. Dorsey from the committee appointed for that purpose, on the ninth instant, reported the bill, entitled "An act for the relief of the heirs of the estate of Joseph Stiles, deceased," which was read the first time.

The bill, entitled "An act granting two thousand dollars to the commissioners of Erie county, for the purpose of erecting public buildings for the use of the said county," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment,

The bill, entitled "An act respecting black and mulattoe persons," was read the third time.

Whereupon,

The Yeas and Nays on the passage of the bill, were required by Mr. Sommer and Mr. Laird, and on the question, being put, the Members voted as follow, to wit :

YEAS.

1. Mr. Brady,
2. Mr. Dorsey,
3. Mr. Harris,
4. Mr. Hart,
5. Mr. Heister,
6. Mr. Lattimore,
7. Mr. Martin,
8. Mr. Mewhorter,

NAYS.

1. Mr. Laird,
2. Mr. Mayer,
3. Mr. M'Arthur,
4. Mr. Richards,

YEAS.

9. Mr. Miller,
10. Mr. Mitchell,
11. Mr. Pennell,
12. Mr. Rahm,
13. Mr. Spangler,
14. Mr. Vance,
15. Mr. Lane, *Speaker.*

NAYS.

5. Mr. Slaymaker,
6. Mr. Sommer,
7. Mr. Wayne,
8. Mr. Wertz.

Fifteen Yeas and eight Nays, by which it appeared that the question was determined in the affirmative.

Ordered, That the said bill be presented to the House of Representatives for concurrence.

The bill, entitled "An act establishing an academy at Wilkesbarre, in Luzerne county," as reported yesterday, by committee of the whole, was considered by section.

Section I, being under consideration.

A motion was made by Mr. Harris and Mr. Brady, to insert the name of "Charles Minor" after that of "Thomas Grayham" in line 7.

Which was agreed to.

The remaining sections and title of the bill being agreed to.

Ordered, That it be prepared for the third reading.

The Clerk of the House of Representatives presented for signature, the bills, entitled respectively as follows, to wit:

1. "An act to prevent the recorder of the city of Philadelphia from practising as an attorney or counsellor in any court of justice in this Commonwealth, or elsewhere."

2. "An act granting to the trustees of the University of Pennsylvania, a sum of money for the purpose of enabling them to establish a botanical garden."

And he presented for concurrence,

"An address to Thomas Jefferson, President of the United States, requesting him to permit his name to be used at the next ensuing election of President of the United States, &c." which was read the first time.

Whereupon,

On motion and by special order,

The said address was again read, and referred to Mr. Dorsey, Mr. Sommer and Mr. Vance.

The bills presented for signature, were signed by the Speaker.

The bill, entitled "An act to incorporate the Lancaster and Susquehanna insurance company," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Miller in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill without amendment.

The Senate resumed the consideration of the bill, entitled "An act establishing the salaries of certain officers of government in this Commonwealth," postponed for the present, on the twenty-fourth ultimo.

The consideration of the first section, with the motion of Mr. McArthur and Mr. Poe, to strike out

"sixteen hundred" in order to insert "fourteen hundred" dollars, recurring.

A motion was made by Mr. Brady and Mr. Wayne, to postpone the further consideration of the section and bill generally.

Whereupon,

The Yeas and Nays on postponing generally, were required by Mr. Mitchell and Mr. Wertz, and on the question, being put, the Members voted as follow, to wit:

YEAS.

1. Mr. Brady,
2. Mr. Dorsey,
3. Mr. Harris,
4. Mr. Lattimore,
5. Mr. Mayer,
6. Mr. Mewhorter,
7. Mr. Miller,

NAYS.

1. Mr. Hart,
2. Mr. Heister,
3. Mr. Laird,
4. Mr. Martin,
5. Mr. M'Arthur,

YEAS.

8. Mr. Richards,
9. Mr. Slaymaker,
10. Mr. Sommer,
11. Mr. Spangler,
12. Mr. Wayne,
13. Mr. Wertz.

NAYS.

6. Mr. Mitchell,
7. Mr. Pennell,
8. Mr. Rahm,
9. Mr. Vance,
10. Mr. Lane, *Speaker*.

Thirteen Yeas and ten Nays, by which it appeared that the question was determined in the affirmative.

Moved by Mr. Wayne and Mr. Wertz.

Resolved, That a committee be appointed to enquire whether any, and, if any, what alterations should be made in the compensation allowed by law to county commissioners.

Ordered to lie upon the table.

The Senate resumed in committee of the whole, (Mr. Pennell in the Chair) the consideration of the bill, entitled "An act to remove the powder magazine from the city of Philadelphia," and

After some time,

The committee rose, and reported the bill with amendments, which were read as reported.

Adjourned 'till 10 o'clock, to-morrow morning.

*Wednesday, March 11, 1807.*

Mr. Laird presented the petition of the trustees of the Northumberland academy and others; stating, that the Legislature, granted to that institution two thousand dollars, payable out of the arrearages of State-taxes due by the said county; also that a conditional grant of three thousand dollars, was made to the institution in the event of a gift of a library of books, (which the trustees expected) taking place, but of which the trustees have never been able to avail themselves owing to the conditions annexed: that the trustees depending upon the absolute grant of two thousand dollars, proceeded to finish one half of their building by borrowing money to enable them so to do, but that contrary to their expectations they have only received four hundred and thirty dollars thereof, and have little hope of receiving the remainder; that in consequence thereof they are much embarrassed, and pray for such efficient relief as will enable them to discharge the debts of the institution; and the said petition was twice read, and referred to Mr. Laird, Mr. Martin and Mr. Heister, to consider and report thereon.

Mr. Dorsey presented the petition of Rebecca Waln and others; stating, that in consequence of the death of Jesse Waln, before the proper deeds were prepared, the object of the Legislature by the act of the twenty-first of March, one thousand eight hundred and six, respecting the partition of certain lands, in Lycoming county is defeated; they therefore pray, that an act may be passed to supply the defect incurred by the death of the said Jesse Waln; and the said petition was twice read, and referred to Mr. Dorsey, Mr. Heister and Mr. Harris, to consider and report thereon.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the  
Commonwealth of Pennsylvania.*

GENTLEMEN,

I HAVE, this day, approved and signed the following acts of the General Assembly, and directed the Secretary of the Commonwealth to return them to the respective Houses in which they originated.

1. "An act establishing and confirming the place for holding the courts of justice in the county district of Potter."

2. "An act to provide for the erection of a house for the employment and support of the poor, in the county of Franklin."

3. "An act granting a sum of money to the trustees of the Reading academy, for the use of the said academy."

4. "An act to enable Thomas Alleson and Samuel Agnew, to sell and convey certain lands therein mentioned."

5. "An act to enable James Maris and Samuel Davis, administrators to the estate of Thomas West, deceased, to sell and convey certain real estate therein mentioned."

6. "An act to incorporate the Philadelphia society for the encouragement of domestic manufactures."

7. "An act for the relief of James Smith."

*Lancaster, March 11, 1807.*

THOMAS M'KEAN.

Mr. Miller from the committee to whom was referred, on the seventh instant, the petition of the subscribers thereto, inhabitants of the borough of York, made the following report :

That the committee conceive great advantages would be derived by the citizens of the borough of York, from having a plentiful supply of water in case of the breaking out of fire, having experienced on former occasions of this kind a great deficiency from wells; that with the aid of some money, a stream of water could be brought in, so as amply to afford the necessary supply; but that they have not the means



within their reach of raising the money, which an undertaking of this kind would require, in any other way which they can devise but by a lottery, they have therefore prayed the Legislature to grant them a law to enable them to raise the necessary sum in that way: The committee impressed with the necessity and importance of the object, as it regards the safety of the citizens of that place, are induced to agree with the prayer of the petitioners, and to offer the following resolution, viz.

Resolved, That a committee be appointed to bring in a bill, embracing the object of the petitioners.

Mr. Hart from the committee to whom was referred, on the ninth instant, the petition of Margaret Kenner and others, on leave then given, reported the bill, entitled "An act to confirm to George Bilger a title to a certain lot of land in the county of Montgomery," which was read the first time.

Mr. Dorsey from the committee to whom was referred, on the twenty-third ultimo, the petition of Robert Kennedy, on leave now given, reported the bill, entitled "An act to authorize Robert Kennedy, his heirs and assigns, to dig and support a millrace in and adjacent to the river Schuylkill near its falls," which was read the first time.

Mr. Laird from the committee to whom was referred, on the seventh instant, the petition of the subscribers thereto, inhabitants of Northumberland county, made the following report, to wit :

That in their opinion pecuniary aid can in no case be extended by the Legislature with more propriety, than for the improvement of the roads in the interior of the Commonwealth; that the road alluded to by the petitioners, from its situation and the point to which it is directed, would if compleated, connect a large part of this State and naturally divert the produce of the same to the capital thereof; the committee are well convinced that by granting the aid required, it would operate as a stimulus to individuals

to embark with alacrity in the undertaking, and that at no remote period the said road would be extended on a western direction through a fertile country to lake Erie; fully impressed with these ideas the committee offer the following resolution:

Resolved, That a committee be appointed to draft and bring in a bill, in conformity to the prayer of the petitioners.

The bill, entitled "An act establishing an academy in the borough of Wilkesbarre, in the county of Luzerne," was read the third time.

Whereupon,

On motion of Mr. Hart and Mr. Mitchell, and by unanimous consent,

The title was amended by adding to the end thereof, "and granting a sum of money thereto" and

Thereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That the said bill be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence of that House is requested.

The amendments are —

To insert the name "Charles Minor" after that of "Thomas Graham" in section I, and to amend the title, as above.

The Clerk of the House of Representatives informed, that that House have concurred in the amendment by Senate, on the "Resolution respecting the importation of slaves, &c."

And he presented for signature, two bills, entitled as follow, to wit:

1. "An act to regulate the fisheries in the river Susquehanna and its branches."

2. "An act granting two thousand dollars, to the commissioners of Erie county, for the purpose of erecting public buildings, for the use of said county."

Whereupon,

The Speaker signed the said bills.

The bill, entitled "An act to provide for the removal of the powder magazine from the city of Philadelphia," as reported by committee of the whole, yesterday, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act to incorporate the Lancaster and Susquehanna insurance company," as reported by committee of the whole, yesterday, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "A supplement to an act, entitled "An act for the more speedy and effectual collection of certain debts due to this Commonwealth," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Sommer in the Chair) for the further consideration thereof; and

After some time,

The committee rose, reported progress and had leave to sit again to-morrow.

The bill, entitled "An act to enable Matthew Gaut and William Espy, to sell and convey certain lands therein mentioned," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Hart in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with one amendment, which was read as reported.

Adjourned till 10 o'clock, to-morrow morning.

**Thursday, March 12, 1807.**

The Speaker laid before the Senate the report of the Comptroller-General, of the contingent expences of that office for one year, ending the twenty-eight February last; which was read, and

Laid upon the table.

The bill, entitled "An act for the removal of the powder magazine from the city of Philadelphia," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence of that House is requested.

The amendments are—

1. To insert the names of "Stephen Decatur and John Singer" as additional commissioners for carrying into effect the objects of the bill.

2. That the commissioners may be authorized to erect one magazine for the purpose of accommodating retailers of powder, not to contain more than ten tons, and not less than one mile from the city, and one quarter of a mile from any house, and one or more magazines for the purpose of storing larger quantities of powder not less than four miles from the city, and half a mile from any house.

With such verbal amendments as became necessary to conform the bill with the above principles.

The bill, entitled "An act to incorporate the Lancaster and Susquehanna insurance company," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The Clerk of the House of Representatives presented for signature, the "Resolution respecting the importation of slaves."

Whereupon,

The Speaker signed the said resolution.

The bill, entitled "An act to enable Matthew Gaut and William Espey, to sell and convey certain lands therein mentioned," as reported by committee of the whole, yesterday, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

Agreeably to order, the Senate resumed in committee of the whole, (Mr. Richards in the Chair) the consideration of the bill, entitled "An act to extend the right of peremptory challenge to cases not hitherto provided for," and

After some time,

The committee rose, and reported the bill without amendment.

Agreeably to order, the Senate resumed in committee of the whole, (Mr. Sommer in the Chair) the consideration of the bill, entitled "A supplement to an act, entitled "An act for the more speedy and effectual collection of certain debts due to this Commonwealth," and

After some time,

The committee rose, and reported the bill with amendments, which were read as reported.

The bill, entitled "An act for the sale of vacant land, within certain parts of this Commonwealth," as reported by committee of the whole, was considered by section.

The first and only section as amended in committee of the whole, to wit: "*Be it enacted, &c.* That from and after the first day of November *next*, upon the application of any person or persons to the court

of common pleas, for the county within which any of the vacant unimproved lands (which were purchased from the indians in the year one thousand seven hundred and sixty-eight, and all preceeding purchases) may lie, it shall and may be lawful for said court to nominate and appoint seven honest and discreet persons, whom the said court shall attest, to value so much of said lands as may be stated in said application, and if upon return of said valuation, signed by five of the said valuers, accompanied with a map or plot of the land so valued, it shall appear to the said court that such valuation hath been justly and fairly made, it shall then be and it is hereby made the duty of said court upon the application of said person or persons, to furnish him or them with a copy of the map or plot of the land aforesaid, and a copy of the valuation aforesaid, which copies shall be attested by the clerk of said court, with the seal thereunto annexed, and the land aforesaid shall and may be granted without any condition of settlement or cultivation, to any person or persons who may apply for the same, in the manner and form usual under existing laws, at the price mentioned in said copy of valuation so as aforesaid certified; and the unimproved and vacant land aforesaid, shall not be granted after the first day of November aforesaid, in any other way or manner than is herein set forth: *Provided always*, That all costs attending the valuation of the lands as aforesaid, be paid by the person or persons applying for the same, and that so much of any former law, as is by this act altered or supplied, is hereby repealed."

Being under consideration.

A motion was made by Mr. Harris and Mr. Mitchell, to strike out from the word "next" in line 3, to the end of the section, in order to restore the section as is stood originally.

Which was not agreed to.

Thereupon,

On motion of Mr. M<sup>c</sup>Arthur and Mr. Laird,

Agreed, That the further consideration of the section and bill be postponed generally.

The bill, entitled "An act making appropriation for improving the road, leading from Milesburg, in Centre county, to Waterford, in Erie county," as reported by committee of the whole, on the ninth instant, was considered by section.

Section I, being under consideration.

A motion was made by Mr. M'Arthur and Mr. Martin, to amend the section, by inserting the counties of "Venango and Crawford"

Which was agreed to, and the section as amended adopted.

Section II, being under consideration.

On motion of Mr. M'Arthur and Mr. Martin,

A similar amendment was made therein, and the section as amended adopted.

Section III, being under consideration.

On motion of Mr. M'Arthur and Mr. Martin,

A similar amendment was made therein, and the section as amended adopted,

The title of the bill being agreed to.

Ordered, That it be prepared for the third reading.

The report of the committee to whom was referred, the petition of the subscribers thereto, inhabitants of the borough of York, read yesterday, was again read, and the resolution attached thereto adopted.

Ordered, That the committee who brought in the report, be a committee for the purpose expressed in the resolution.

On motion of Mr. Dorsey and Mr. Heister,

Agreed, That the reports of the several officers of the Land and Treasury Departments, of the contingent expences of their offices, be entered in detail and attached to the Journal as an appendix.

Adjourned 'till 10 o'clock, to-morrow morning.

*Friday, March 13, 1807.*

Mr. Mayer presented the petition of the subscribers thereto, members of the Protestant Episcopal church, in the borough of Lancaster; stating, that their church and steeple are in a dilapidated condition; they therefore pray to be enabled to make the necessary repairs by way of lottery; and the said petition was twice read, and referred to Mr. Mayer, Mr. Slaymaker and Mr. M'Arthur, to consider and report thereon.

Mr. Brady from the committee to whom was referred, on the twentieth ultimo, the bill, entitled "An act granting George Huber and Michael Zeller, a tract of donation land," reported the said bill without amendment.

Mr. Vance from the committee to whom was referred, on the sixth instant, the "Resolution relative to the conflicting claims of actual settlers and certain warrants to lands lying north and west of the rivers Ohio and Allegheny, and Conewango creek," reported the resolution without amendment.

Mr. Dorsey from the committee to whom was referred, on the tenth instant, the "Address to Thomas Jefferson, President of the United States," reported the same amended, which was read as reported.

The bill, entitled "An act to enable Matthew Gaut and William Espey, to sell and convey certain lands therein mentioned," was read third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act making appropriation for improving the road leading from Milesburg, in Centre county, to Waterford, in Erie county," was read the third time.



Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence of that House is requested.

[*For the amendments, see Journal of yesterday.*]

The bill, entitled "An act to extend the right of peremptory challenge to cases not hitherto provided for," as reported by committee of the whole, yesterday, was considered by section.

The first and only section being under consideration.

After debate,

The Yeas and Nays on adopting the section, were required by Mr. Brady and Mr. Pennell.

Whereupon,

A motion was made by Mr. Wayne and Mr. Sommer, to postpone the further consideration of the bill, and recommend it to the attention of the Senate at the next session of the Legislature, and called the Yeas and Nays on the motion.

Thereupon,

The question on postponement, being put, the Members voted as follow, to wit:

#### YEAS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Lattimore,
4. Mr. Mayer,
5. Mr. Mewhorter,

#### NAYS.

1. Mr. Dorsey,
2. Mr. Hart,
3. Mr. Heister,
4. Mr. Laird,
5. Mr. Martin,
6. Mr. M'Arthur,

#### YEAS.

6. Mr. Miller,
7. Mr. Richards,
8. Mr. Slaymaker,
9. Mr. Sommer,
10. Mr. Wayne.

#### NAYS.

7. Mr. Mitchell,
8. Mr. Pennell,
9. Mr. Rahm,
10. Mr. Spangler,
11. Mr. Vance,
12. Mr. Lane, *Speaker.*

Ten Yeas and twelve Nays, by which it appeared that the question was determined in the negative.

Whereupon,

The Yeas and Nays on adopting the section recurring, and, on the question, being put, the Members voted as follow, to wit:

YEAS.

1. Mr. Dorsey,
2. Mr. Hart,
3. Mr. Heister,
4. Mr. Laird,
5. Mr. Martin,
6. Mr. M'Arthur,

NAYS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Lattimore,
4. Mr. Mayer,
5. Mr. Mewhorter,

YEAS.

7. Mr. Mitchell,
8. Mr. Pennell,
9. Mr. Rahm,
10. Mr. Spangler,
11. Mr. Vance,
12. Mr. Lane, *Speaker*.

NAYS.

6. Mr. Miller,
7. Mr. Richards,
8. Mr. Slaymaker,
9. Mr. Sommer,
10. Mr. Wayne.

Twelve Yeas and ten Nays, by which it appeared that the question was determined in the affirmative.

The title being agreed to.

Ordered, That the said bill be prepared for the third reading.

The Clerk of the House of Representatives presented for concurrence, three bills, entitled as follow, to wit:

1. "An act to render perpetual a certain act respecting the Philadelphia and Lancaster turnpike road."

2. "An act authorizing the President of the United States, to open a road through that part of this State, lying between Cumberland, in the State of Maryland and the Ohio river."

3. "A supplement to an act, entitled "An act making an appropriation for the building a bridge in Somerset county."

Which were severally read the first time.

The bill, entitled "An act to prevent shooting on or near public roads or buildings," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Hart in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with amendments, which were read as reported.

The bill, entitled "A supplement to an act, entitled "An act to erect the town of Canonsburg, in the county of Washington, into a borough," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act to annex part of Northumberland county, to the county of Lycoming," as reported by committee of the whole, on the fifth instant was considered by section.

Section I, being under consideration.

After debate,

The question on agreeing thereto, being put, was determined in the negative, and so the bill was lost.

The report of the committee to whom was referred, the second item, of the report of unfinished business, to wit: The bill, entitled "An act for the relief of William Henry Kilbuck," read, on the third instant, was again read, and

Being under consideration.

A motion was made by Mr. Vance and Mr. Wayne, to postpone the further consideration of the report and the subject generally.

Which was agreed to.

The resolution offered by Mr. Wayne and Mr. Wertz, "respecting the compensation of county commissioners," read on the tenth instant, was again read, considered and adopted.

Ordered, That Mr. Wayne, Mr. Vance and Mr. Sommer, be a committee for that purpose, with permission to report by bill or otherwise.

On leave given, Mr. Dorsey read a bill in his place, and by permission presented the same to the Chair,

entitled "A supplement to an act, entitled "An act for regulating weights and measures," which was read the first time.

Mr. Dorsey asked, and obtained leave of absence, for a few days.

Mr. Slaymaker asked, and obtained leave of absence, for Mr. Wertz, for a few days.

Adjourned 'till 10 o'clock, to-morrow morning.

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### *Saturday, March 14, 1807.*

The Speaker laid before the Senate a letter from the Secretary of the Commonwealth; informing, that he had laid before the House of Representatives sundry depositions, and other documents, in the case of William Potts, esquire, a justice of the peace, of Northumberland county, in pursuance of the act respecting complaints against justices of the peace; which was read and

Laid upon the table.

Mr. Vance presented the petition of Andrew Poe, of Beaver county; stating, that he served as a Lieutenant in Captain Thomas Bays' company of militia, in the year one thousand seven hundred and eighty-one, and in a skirmish with the indians, he was severely wounded; he therefore prays relief; and the said petition was twice read, and referred to Mr. Vance, Mr. Spangler and Mr. Miller, to consider and report thereon.

Mr. Wayne presented the petition of the subscribers thereto, stating; that they are informed a petition is now before the Legislature, from the inhabitants of Huntingdon, Clearfield and Centre counties, praying aid from the State in completing a road from Logan's Narrows on the Juniata, to the State road, near the mouth of Anderson's creek, and to the town of Clearfield, and requesting, that it may be declared a

State road: The petitioners state, the high importance of this road, and pray the attention and aid of the Legislature, to enable them to finish the same; and the said petition was read, and

Laid upon the table.

Mr. Miller from the committee appointed for that purpose, on the twelfth instant, reported the bill, entitled "An act to raise by way of lottery, a sum not exceeding three thousand dollars, to enable the inhabitants of the borough of York, to bring in a stream of water, to supply the fire-engines, in case of accident by fire," which was read the first time.

The bill, entitled "An act to extend the right of peremptory challenge, to cases not hitherto provided for," was read the third time.

Whereupon,

The Yeas and Nays on the passage of the said bill, were required, by Mr. Brady and Mr. Mitchell, and on the question, being put, the Members voted as follow, to wit:

YEAS.

1. Mr. Hart,
2. Mr. Heister,
3. Mr. Laird,
4. Mr. Martin,
5. Mr. M'Arthur,
6. Mr. Mitchell,

NAYS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Lattimore,
4. Mr. Mayer,
5. Mr. Mewhorter,

YEAS.

7. Mr. Pennell,
8. Mr. Rahm,
9. Mr. Spangler,
10. Mr. Vance,
11. Mr. Lane, *Speaker.*

NAYS.

6. Mr. Miller,
7. Mr. Richards,
8. Mr. Slaymaker,
9. Mr. Sommer,
10. Mr. Wayne,

Eleven Yeas and ten Nays, by which it appeared that the question was determined in the affirmative.

Ordered, That the said bill be presented to the House of Representatives for concurrence.

The bill, entitled "A supplement to an act, entitled "An act to erect the town of Canonsburg, in the

county of Washington, into a borough," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act to prevent shooting on or near public roads or buildings," as reported by committee of the whole, was considered by section, and agreed to.

Ordered, That the said bill be prepared for the third reading.

The bill, entitled "A supplement to an act, entitled "An act for the more speedy and effectual collection of certain debts due to this Commonwealth," as reported by committee of the whole, on the twelfth instant, was considered by section.

Section I, was agreed to.

Section II, being under consideration.

A motion was made by Mr. Sommer and Mr. Slaymaker, to amend the section by inserting a provision, making it the duty of purchasers (of lands the property of the late John Nicholson, upon which the State have a lien) to pay the purchase-money, into the State-treasury.

Which was agreed to.

On motion of Mr. Sommer and Mr. Martin,

The section was further amended by extending the time of credit on sales to "four" instead of "two" years.

The section as amended was adopted.

Section III, was adopted.

Section IV, being under consideration.

On motion of Mr. Sommer and Mr. Slaymaker,

A similar amendment to the first amendment in section II, was agreed to, and the section as amended was adopted.

The remaining sections being agreed to.

Ordered, That the said bill be prepared for the third reading.

The Clerk of the House of Representatives presented for concurrence, the bills entitled as follow, to wit:

1. "An act for the relief of Bernard Hubley, of the county of Northumberland."

2. "An act to enable the Governor to incorporate a company, for making an artifical road, by the best and nearest route from the borough of York, to the Maryland line, at the place the present York-road passes the same, or as near thereto, as the commissioners shall find expedient."

3. "An act authorizing certain persons therein named, to lease a tract of land, situate in Falls township, Bucks county, and to appropriate the rents thereof, for the education of poor children in said township."

He returned the bill, entitled "An act to incorporate trustees for the Meadville academy, and to establish the same."

And informed, that the House of Representatives have passed the same, with one amendment, in which the concurrence of Senate requested.

The amendment is the insertion of one additional trustee.

The bills presented for concurrence, were severally read the first time.

The bill, entitled "An act for the relief of George Parson," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with amendments, which were read as reported.

The bill, entitled "An act to alter the time of holding the June fair, in the borough and county of Lancaster," was read the second time, considered by section and agreed to,

Ordered, That it be prepared for the third reading.

Mr. Miller from the committee appointed for that purpose, reported:

That the committee in conjunction with the committee of the House of Representatives, yesterday, presented to the Governor for his approbation, the bills, entitled as follow, to wit:

1. "An act to regulate the fisheries in the river Susquehanna and its branches."

2. "An act granting two thousand dollars to the commissioners of Erie county, for the purpose of erecting public buildings for the use of said county."

Adjourned till 10 o'clock, Monday morning.

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*Monday, March 16, 1807.*

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I HAVE, this day, approved and signed the following acts of the General Assembly, and directed the Secretary to return the same to the House of Representatives, in which they originated, to wit:

1. "An act granting two thousand dollars, to the commissioners of Erie county, for the purpose of erecting public buildings, for the use of said county."

2. "An act to regulate the fisheries in the river Susquehanna and its branches."

*Lancaster, March 16, 1807.*

THOMAS M'KEAN.

Mr. Richards presented the petition of the subscribers thereto, inhabitants of the county of Montgomery; stating, that a number of persons draughted to serve



a tour of militia duty in the year, 1794, on the Western Expedition, have been subjected to the payment of heavy fines, some of whom had no notice of their being draughted, or of the day of appeal: The petitioners state, the peculiar hardships which these persons labour under, and pray the Legislature to enable them by law to have a hearing by another court of appeal; and the said petition was twice read, and referred to Mr. Richards, Mr. Rahm and Mr. Heister, to consider and report thereon.

Mr. Laird presented the petition of the subscribers thereto, inhabitants of the township of Derry, in the county of Northumberland, praying an alteration in the place of holding their elections; and the said petition was twice read, and referred to Mr. Laird, Mr. Martin and Mr. Lattimore, to consider and report thereon.

Mr. Laird from the committee appointed for that purpose, on the twenty-fourth ultimo, reported the bill, entitled "An act erecting a middle district of the supreme court," which was read the first time.

The bill, entitled "An act to prevent shooting on or near public roads or buildings," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "A supplement to an act, entitled "An act for the more speedy and effectual collection of certain debts due to this Commonwealth," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed

the said bill with amendments, in which the concurrence of that House is requested.

The amendments are—

1. That the commissioners shall act by "majority" only, and not individually as the bill passed the House of Representatives.

2. That the purchasers shall pay the money into the State-treasury, immediately, instead of through the commissioners, and that instead of "two years" a credit of "four years" be allowed for such payment.

3. That the bonds received for lands sold shall be deposited with the treasurer in two months after sale.

4. Introduce a proviso at the end of section VIII, "That the expences incurred by the Assylum company in making out copies directed by the act shall be paid by the Commonwealth."

5. Insert a new section as follows, to wit;

"Section XI, *And be it further enacted by the authority aforesaid*, That the compensation of ten per cent granted to the said commissioners, shall be calculated and allowed only on the amount of the money and bonds, which shall be paid into the State-treasury, on account of the said John Nicholson's estate."

Number the remaining section accordingly.

The bill, entitled "An act to alter the time of holding the June fair, in the borough and county of Lancaster," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act authorizing the President of the United States, to open a road through that part of this State lying between Cumberland in the State of Maryland, and the Ohio river," which originated in the House of Representatives, was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Richards in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with one amendment, which was read as reported.

The bill, entitled "An act to raise by way of lottery a sum not exceeding seven thousand dollars, for the purpose of erecting a bridge over French creek, opposite the town of Franklin, in the county of Venango," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and reported the bill with amendments, which were read as reported.

The "Resolution relative to the conflicting claims of certain actual settlers and certain warrantees, to lands lying north and west of the rivers Ohio and Allegheny, and Conewango creek," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Hart in the Chair) for the further consideration thereof; and

After some time,

The committee rose, reported progress, and had leave to sit again to-morrow.

The bill, entitled "An act to confirm to George Bilger, a title to a certain lot of land in the county of Montgomery," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Sommer in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill without amendment.

The amendments by the House of Representatives, on the bill, entitled "An act to incorporate trustees for the Meadville academy, and to establish the same," read on the fourteenth instant, was again read.

Whereupon,

Resolved, That Senate concur therein.

Ordered, That the Clerk acquaint the House of Representatives thereof.

On leave given, Mr. Hart read a bill in his place, and by permission presented the same to the Chair, entitled "A further supplement to the act, entitled "An act to regulate the general elections within this Commonwealth," which was read the first time.

Adjourned till 10 o'clock, to-morrow morning.

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## *Tuesday, March 17, 1807.*

The Clerk of the House of Representatives informed, that that House have concurred in the amendments by Senate, to the bill, entitled "A supplement to an act, entitled "An act for the more speedy and effectual collection of certain debts due to this Commonwealth," and

That they have also concurred in the amendment by Senate, to the bill, entitled "An act establishing an academy, in the borough of Wilkesbarre, in the county Luzerne."

Mr. Vance from the committee to whom was referred, on the fourteenth instant, the petition of Andrew Poe, made the following report:

That after maturely considering the subject referred to them, are of opinion, that although the petitioner appears not to have been in the regular service in the United States, therefore not legally entitled to remuneration, yet that such meritorious exertions against the common enemy, and valuable services to his country should not go unrewarded, and especially as

it appears the petitioner has received two severe wounds in the service of his country, and thereby much disabled; your committee think him an object highly meriting Legislative aid; therefore offer the following resolution:

Resolved, That a committee be appointed to bring in a bill, directing the officers of the land-office to issue a patent to Andrew Poe, lieutenant of militia, for such quantity of donation land, as officers of the Pennsylvania line, of equal rank are by law entitled to.

Mr. Richards from the committee to whom was, yesterday, referred the petition of the subscribers thereto, inhabitants of Montgomery county, on leave now given, reported the bill, entitled "A further supplement to the act, entitled "An act for the regulation of the militia of the Commonwealth of Pennsylvania," which was read the first time.

The bill, entitled "An act authorizing the President of the United States, to open a road through that part of this State, lying between Cumberland, in the State of Maryland, and the Ohio river," which originated in the House of Representatives, as reported by committee of the whole, yesterday, was considered by section.

Section I, being under consideration.

A motion was made by Mr. Wayne and Mr. Vance, to restore the proviso stricken out yesterday, in committee of the whole, viz.

"*Provided nevertheless*, That the route laid down and reported by the commissioners to the President of the United States, be so altered as to pass through Uniontown, in the county of Fayette, and Washington, in the county of Washington."

After debate,

The Yeas and Nays, on restoring the proviso, were required by Mr. Wayne and Mr. Pennell, and on the question, being put, the Members voted as follow, to wit:

## YEAS.

1. Mr. Brady,
2. Mr. Lattimore,
3. Mr. Martin,
4. Mr. Mayer,
5. Mr. Mewhorter,
6. Mr. Miller,

## NAYS.

1. Mr. Harris,
2. Mr. Hart,
3. Mr. Heister,
4. Mr. Laird,
5. Mr. M'Arthur,

## YEAS.

7. Mr. Mitchell,
8. Mr. Rahm,
9. Mr. Slaymaker,
10. Mr. Vance,
11. Mr. Wayne.

## NAYS.

6. Mr. Pennell,
7. Mr. Richards,
8. Mr. Sommer,
9. Mr. Spangler,
10. Mr. Lane, *Speaker*.

Eleven Yeas and ten Nays, by which it appeared that the question was determined in the affirmative.

Whereupon,

On motion of Mr. Harris and Mr. Vance,

The further consideration of the section and bill was postponed for the present.

The bill, entitled "An act to confirm to George Bilger, a title to a certain lot of land in the county of Montgomery," as reported by committee of the whole, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act for the relief of Bernard Hubley, of the county of Northumberland," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Sommer in the Chair) for the further consideration thereof; and

After some time,

The committee rose, reported progress, and had leave to sit again to-morrow.

The report of the committee on the claim of Timothy Matlack, heretofore Clerk of the Senate, read on the seventeenth ultimo, was again read, considered and the resolution attached thereto, to wit:

"That Mr. Matlack have leave to withdraw his petition," considered and adopted.

The bill, entitled "An act for the relief of John Steele," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Miller in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill without amendment.

The report of the committee on the subject of the supposed Manor of Springetsbury, read the ninth of February, was again read, and

Being under consideration.

A motion was made by Mr. Miller and Mr. Spangler, to postpone the further consideration of the report, and recommend it to the attention of the Senate at their next session.

Which was agreed to.

The bill, entitled "An act granting Jacob Bottimore, a tract of donation land," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

Agreeably to order, the Senate resumed in committee of the whole, (Mr. Hart in the Chair) the consideration of the "Resolution relative to the conflicting claims of certain actual settlers, and certain warrantees, to lands lying north and west of the rivers Ohio and Allegheny, and Conewango creek," and

After some time,

The committee rose, reported progress, and had leave to sit again to-morrow.

The Clerk of the House of Representatives presented for signature, the bills, entitled as follow, to wit:

1. "An act establishing an academy in the borough of Wilkesbarre, in the county of Luzerne."
2. "An act to incorporate the Lancaster and Susquehanna insurance company."
3. "An act to enable Sarah Morgan, administrator, and Jonathan Morgan, administrator, to the estate

of Isaac Morgan, deceased, to convey a tract of land, in Charlestown township, Chester county."

4. "An act to alter the time of holding the June fair, in the borough and county of Lancaster."

5. "A supplement to an act, entitled "An act for the more speedy and effectual collection of certain debts due to this Commonwealth."

Whereupon,

The Speaker signed the said bills.

Adjourned 'till 10 o'clock, to-morrow morning.

*Wednesday, March 18, 1807.*

Mr. M'Arthur presented the petition of George Ross; stating, that he, with John Cochran and William Ellis, were commissioned, in the year one thousand eight hundred and four, to run and mark the boundary lines of the counties of M'Kean, Potter and Tioga. That with William Ellis (Mr. Cochran having declined acting) the petitioner engaged in the business and have nearly completed it. That there is no provision in the act under which the commissioners are appointed directing to whom the report shall be made, that the compensation for the commissioners is inadequate; that the said William Ellis is since dead, the petitioner therefore prays the Legislature to pass a law; providing for the defects, which have arisen in the course of this business; and the same was twice read, and referred to Mr. M'Arthur, Mr. Slaymaker and Mr. Mewhorter, to consider and report thereon.

The bill, entitled "An act to confirm to George Bilger, a title to a certain lot of land in the county of Montgomery," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.



Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act granting Jacob Bottimore, a tract of donation land," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act for the relief of John Steele," as reported yesterday, by committee of the whole, was considered by section.

Section I, being under consideration.

After debate,

A motion was made by Mr. Harris and Mr. Pennell, to postpone the further consideration of the section and bill, for the present.

Which was agreed to.

Agreeably to order, the Senate resumed in committee of the whole, (Mr. Hart in the Chair) the consideration of the "Resolution relative to the conflicting claims between certain actual settlers, and certain warrantees, to lands lying north and west of the rivers Ohio and Allegheny, and Conewango creek," and

After some time,

The committee rose, and reported the resolution without amendment.

Whereupon,

On motion of Mr. Hart and Mr. Laird,

The Senate proceeded in the consideration of the resolution as reported by committee of the whole; and

After some time,

A motion was made by Mr. Brady and Mr. Miller, to postpone the further consideration thereof, for the present.

Which was agreed to.

On motion,

The Senate resumed in committee of the whole, (Mr. Harris in the Chair) the consideration of the bill, entitled "A supplement to the act, entitled "An act to encourage the patenting of lands, and for other purposes," and

After some time,

The committee rose, and reported the bill with amendments, which were read as reported.

On motion,

The third order of this day, to wit:

The further consideration in committee of the whole, of the bill, entitled "An act for the relief of Bernard Hubley, of the county of Northumberland," was discharged, and the bill postponed for the present.

Adjourned 'till 10 o'clock, to-morrow morning.

## Thursday, March 19, 1807.

Mr. Brady from the committee appointed on the seventh instant, to examine the files of the Senate and House of Representatives, in conjunction with a committee of the House of Representatives, and to ascertain what business ought to be attended to at the present session; and at what time it will be convenient for the Legislature to adjourn, made report, which was read as follows:

That they have attended to the duties assigned them, and in their opinion, the following items demand the attention of the Legislature, viz.

*First. Bills which have passed Senate and that have not been finally acted on by the House of Representatives, as follow:*

1. An act to incorporate the United States insurance company.
2. An act to incorporate the marine and fire insurance company.

3. An act to incorporate a company for making an artificial road from at or near the Gap-tavern, in Lancaster county, towards Newport, in Delaware.

4. An act relative to the docketts of justices of the peace, whose commissions have been or may be vacated.

5. An act for the regulation of pilots and pilot-ages, &c.

Secondly. *Bills which have passed the House of Representatives, and are now pending in Senate, viz.*

1. An act for the erection of a house for the employment and support of the poor, in Bucks county.

2. An act granting donation land to George Huber and Michael Zeller.

3. An act to alter and amend the act for the settlement of public accounts.

4. An act relative to the United States road from Cumberland to the Ohio.

5. An act for the relief of Bernard Hubley.

6. An act for a turnpike from York to the Maryland line.

7. An act for leasing a lot of land in Bucks county.

Thirdly. *Bills which originated in, and are still pending in the House of Representatives; viz.*

1. An act for continuing the distribution of donation lands.

2. A supplement to the act offering compensation to the Pennsylvania claimants, of lands, in Luzerne county.

3. An act for raising a public revenue, and appropriating the same.

4. An act concerning partitions, &c.

5. An act to regulate the admission of attorneys, &c.

6. An act for the payment of unsatisfied land warrants.

7. An act appropriating money for the improvement of certain roads and rivers.
8. An act for the regulation of the militia.
9. An act to lay a tax on dogs, in certain counties.
10. An act to repeal the act for the regulation of fines, as far as it respects Washington county.
11. An act to authorize the erection of a bridge over the river Susquehanna at Nescopeck Falls.
12. An act to erect part of Bedford county, into a separate county district.
13. A further supplement to the act to alter the judiciary system.
14. A supplement to the act for the inspection of butter.
15. An act to amend the law relative to domestic attachments.
16. An act concerning insolvent debtors.
17. An act for the inspection of flour in the western counties.
18. An act to perpetuate hundred dollar law.
19. A supplement to the act, for laying out and keeping in repair public roads; &c.
20. An act allowing an additional compensation to the inspector of staves and heading.
21. An act relative to tavern licences and militia fines.
22. A supplement to the act relative to the selecting and returning jurors.
23. An act relative to strays.
24. An act to authorize the erection of a bridge over the river Susquehanna at Wilkesbarre.
25. A further supplement to the penal laws.
26. An act to punish offences committed on the river Susquehanna, and other public streams, &c.
27. An act appropriating money for improving the navigation of Little Schuylkill.
28. An act appropriating money for improving the navigation of Le Boeuff and French creeks.

29. An act imposing penalties on persons defrauding turnpike companies, &c.

30. Resolution for the distribution of the Journals in the English language.

Fourthly. *Bills originated and still pending in Senate.*

1. An act directing the mode of settling accounts in the Land-office.

2. A supplement to the act, to encourage the patenting of lands.

3. An act making appropriation to sundry roads.

The above are the principal items of business, now pending before the two Houses, which the committee are of opinion require the attention of the Legislature, during the present session; in addition to which, they deem it proper to mention, that reports are yet to be made by the committee on ways and means, and the committee on roads and inland navigation, which no doubt require the attention of the Legislature: Upon the whole, as a number of the items before mentioned, have passed one branch, and others are progressing, the committee are of opinion, that the business may be so far completed, as to make it convenient for the Legislature to adjourn, on Monday, the thirtieth of this instant. They are therefore induced to offer the following resolution to the consideration of their respective Houses, to wit:

Resolved, That the Legislature will adjourn on Monday, the thirtieth of this instant.

Ordered to lie on the table.

The bill, entitled "A supplement to the act to encourage the patenting of lands, and for other purposes," as reported yesterday, by committee of the whole, was considered by section.

Section I, being under consideration.

The Yeas and Nays on agreeing thereto, were required by Mr. M'Arthur and Mr. Brady, and, on the question, being put, the Members voted as follow, to wit:

YEAS.

1. Mr. Hart,
2. Mr. Laid,
3. Mr. Martin,
4. Mr. M'Arthur,
5. Mr. Mewherter,

NAYS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Heister,
4. Mr. Lattimore,
5. Mr. Mayer,

YEAS.

6. Mr. Mitchell,
7. Mr. Pennell,
8. Mr. Vance,
9. Mr. Lane, *Speaker*.

NAYS.

6. Mr. Miller,
7. Mr. Richards,
8. Mr. Slaymaker,
9. Mr. Spangler,
10. Mr. Wayne.

Nine Yeas and ten Nays, by which it appeared that the question was determined in the negative, and so the bill was lost.

The Clerk of the House of Representatives presented for concurrence, three bills, entitled as follow, to wit:

1. "An act to raise by way of lottery, a sum of money, to defray the expences incurred by the trustees of the German Lutheran congregation, in and near the borough of Lancaster."

2. "An act for the relief of William Chancellor and others."

3. "A supplement to the act, entitled "An act to enable the Governor of this Commonwealth, to incorporate a company for making an artificial road from Lancaster, through Elizabethtown to Middletown."

Which were severally read the first time.

On motion,

The Senate resumed the consideration of the "Resolution relative to the conflicting claims of certain actual settlers, and certain warrantees to lands, lying north and west of the rivers Ohio and Allegheny, and Conewango creek," postponed for the present, yesterday.

The consideration of the first paragraph of the resolution recurring, to wit:

"*Be it resolved, &c.* That in all cases arising under the act, entitled "An act for the sale of vacant lands within this Commonwealth," passed April the

third, one thousand seven hundred and ninety-two," in any wise concerning, the titles of lands lying north and west of the rivers Ohio and Allegheny, and Conewango creek, the interest of this Commonwealth is directly affected, and in fact, and in deed, absolute parties to said suit, and do hereby by reason thereof, solemnly protest against, and positively deny the right of any court of the United States, to take cognizance or exercise any jurisdiction touching any suit or action now brought or that may be brought under the act aforesaid."

After debate,

The Yeas and Nays on adopting the same, were required by Mr. Mitchell and Mr. Wayne, and on the question, being put, the Members voted as follows, to wit:

## YEAS.

1. Mr. Hart,
2. Mr. Heister,
3. Mr. Laird,
4. Mr. Lattimore,
5. Mr. Martin,
6. Mr. McArthur,

## YEAS.

7. Mr. Mewhorter,
8. Mr. Mitchell,
9. Mr. Pennell,
10. Mr. Rahm,
11. Mr. Spangler,
12. Mr. Vance.

## NAYS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Mayer,
4. Mr. Miller,

## NAYS.

5. Mr. Richards,
6. Mr. Slaymaker,
7. Mr. Wayne.
8. Mr. Lane, *Speaker*.

Twelve Yeas and eight Nays, by which it appeared that the question was determined in the affirmative.

The second paragraph of the resolution, to wit:

"*And be it further resolved, &c.* That the Governor shall forthwith transmit a copy of this resolution, with the reasons preceeding the same, to each of the judges of the supreme court of the United States, one copy to the judge, and one copy to the marshal of the district of Pennsylvania, each of said copies to be duly certified under the great seal of this Commonwealth."

Was agreed to.

The preamble, to wit :

"Whereas the Commonwealth of Pennsylvania, by an act of Assembly, passed the third of April, one thousand seven hundred and ninety-two, directed the sale of a certain part of her territory, lying north and west of the rivers Ohio and Allegheny, and Conewango creek, under the express condition of an actual settlement, and residence being made, on each four hundred acres of said land. A strict compliance with said condition, was made absolutely necessary by the aforesaid act, previously to the vesting of any title in an individual to said land, or any part thereof; and a considerable quantity of said land having been granted to aliens subject to the condition aforesaid, or transferred by citizens of this Commonwealth to aliens, who, not content with the decisions of the courts of this Commonwealth, or their construction of the law aforesaid, have brought actions against actual settlers on said land, many of whom have procured new or vacating warrants by the authority of this Commonwealth for such lands. And whereas by the Constitution of the United States, no State can be made a party in any suit, before the federal courts, without the consent of such State; and from this it is evident that the jurisdiction of the courts aforesaid, does not extend to any case, where the interest of an individual State is involved: And whereas this Commonwealth purchased a considerable quantity of the lands aforesaid of the United States, for the sum of seventy-five cents per acre, and offered the same lands for sale under the act aforesaid, at the rate of twenty cents per acre, "to those who would actually improve and settle the same." Hence the difference of consideration between seventy-five cents, and twenty cents, per acre, was to be made up to the State by improvement and settlement; labour was agreed to be taken as a commutation for money, the State manifestly designed to increase her population and extend her settlement; and whether those objects all important to the State,



are to be accomplished, or whether the condition of actual settlement and improvement shall be imposed on warrantees or not, and whether the State shall be divested of all title to those lands, and said condition be dispensed with forever, and the best part of her territory left in a state of nature, without inhabitants, is clearly the question for adjudication: In which question the interest and sovereignty of the State is deeply involved; for take away the right of an individual State; to dispose of her own soil, as she may think proper, or prevent her from enforcing the observance of her contracts, by her own courts, and subject her to the controul of the judicial authority of the United States, and such State remains no longer sovereign and independent."

Having been agreed to.

Ordered, That the said resolution be returned to the House of Representatives, with information that Senate have passed the same without amendment.

On motion of Mr. Wayne and Mr. Mitchell,

The Senate resumed in committee of the whole, (Mr. Hart in the Chair) the consideration of the bill, entitled "An act for the relief of Bernard Hubley, of the county of Northumberland," and

After some time,

The committee rose, and reported the bill without amendment.

Whereupon,

On motion of Mr. Mitchell and Mr. Wayne, and by special order,

The said bill as reported by committee of the whole, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

Moved by Mr. Miller and Mr. Vance,

That when Senate adjourn, the adjournment be till half past three o'clock in the afternoon.

Which was not agreed to.

The bill, entitled "An act authorizing certain persons therein named, to lease a tract of land in Falls township, Bucks county, and to appropriate the rents thereof, for the education of poor children in said township," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The Clerk of the House of Representatives presented for concurrence, three bills entitled as follow, to wit:

1. "An act to raise by way of lottery a sum of money for the purpose of improving the navigation of Penns creek, in Northumberland county."

2. "A supplement to, and to render perpetual an act for the recovery of debts and demands, not exceeding one hundred dollars, before a justice of the peace, and for the election of constables, and for other purposes."

3. "An act for the regulation of the militia of the Commonwealth of Pennsylvania."

And the said bills were severally read the first time.

On motion of Mr. Mitchell and Mr. Pennell, and by special order,

The last mentioned bill was again read, and referred to Mr. Mitchell, Mr. Wayne and Mr. Hart, to consider and report thereon.

The report of the committee on the petition of Andrew Poe, read on the seventeenth instant, was again read, considered and the resolution therein contained adopted, to wit:

"That a committee be appointed to bring in a bill, directing the officers of the Land-office, to issue a patent to Andrew Poe, Lieutenant of Militia, for such quantity of donation land, as officers of the Pennsylvania line of equal rank are by law entitled to."

Ordered, That the committee who brought in the report, be the committee for the purpose expressed in the resolution.

Moved by Mr. Vance and Mr. M'Arthur,

*Be it resolved by the Senate, &c.* That for the future, no law whatever shall be published in the newspapers, which shall be paid for out of the treasury of this Commonwealth, unless directed by law.

Ordered to lie upon the table.

Mr. Wayne from the committee appointed for that purpose, reported:

That the committee in conjunction with the committee of the House of Representatives, have, this day, presented to the Governor for his approbation, the bills and resolution entitled as follow, to wit:

1. "A supplement to an act, entitled "An act for the more speedy and effectual collection of certain debts due to this Commonwealth."

2. "An act to enable Sarah Morgan, administratrix, and Jonathan Morgan, administrator, to the estate of Isaac Morgan, deceased, to convey a tract of land, in Charlestown township, Chester county."

3. "An act to alter the time of holding the June fair, in the borough and county of Lancaster."

4. "An act establishing an academy in the borough of Wilkesbarre, in the county of Luzerne, and granting a sum of money thereto."

5. "An act granting to the trustees of the University of Pennsylvania, a sum of money for the purpose of enabling them to establish a botanical garden."

6. "An act to prevent the recorder of the city of Philadelphia, from practising as an attorney or counsellor, in any court of justice in this Commonwealth, or elsewhere."

7. "An act to incorporate the Lancaster and Susquehanna insurance company."

8. "A resolution relative to the importation of slaves."

On motion of Mr. Mitchell and Mr. Wayne.  
Adjourned 'till 9 o'clock, to-morrow morning.

Friday, March 20, 1807.

The bill, entitled "An act for the relief of Bernard Hubley, of the county of Northumberland," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act authorizing certain persons therein named, to lease a tract of land, situate in Falls township, Bucks county, and to appropriate the rents thereof, for the education of poor children in said township," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act to enable the Governor to incorporate a company, for making an artificial road, by the best and nearest route, from the borough of York, to the Maryland line, at the place the present York-road passes the same, or as near thereto, as the commissioners shall find convenient," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Hart in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill without amendment.

The bill, entitled "A further supplement to the act, entitled "An act to alter and amend the act, entitled

"An act to regulate the general elections within this Commonwealth," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act to raise by way of lottery, a sum not exceeding three thousand dollars, to enable the inhabitants of the borough of York, to bring in a stream of water to supply their fire-engines, and for other purposes," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with amendments, which were read as reported.

Thereupon,

On motion of Mr. Miller and Mr. Spangler, and by special order,

The said bill as reported by committee of whole, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

On motion of Mr. Vance and Mr. Spangler,

The Senate resumed the consideration of the bill, entitled "An act authorizing the President of the United States, to open a road through that part of this State lying between Cumberland, in the State of Maryland, and the Ohio river," (which originated in the House of Representatives) postponed for the present on the seventeenth instant.

The consideration of section I, recurring.

A motion was made by Mr. Harris and Mr. Hart, to amend the section, by adding to the end thereof, the following: "if such alteration can in the opinion of the President, be made consistently with the views of the general government, but if not then over any ground within the limits of this State, which he may deem most advantageous."

Whereupon,

The Yeas and Nays, on agreeing to the amendment, were required by Mr. Pennell and Mr. Wayne, and on the question, being put, the Members voted as follow, to wit:

YEAS.

1. Mr. Harris,
2. Mr. Hart,
3. Mr. Heister,
4. Mr. Lattimore,
5. Mr. Martin,
6. Mr. Mayer,
7. Mr. M'Arthur,

YEAS.

8. Mr. Mewhorter,
9. Mr. Miller,
10. Mr. Pennell,
11. Mr. Rahm,
12. Mr. Richards,
13. Mr. Spangler,
14. Mr. Lane, *Speaker*.

NAYS.

1. Mr. Brady,
2. Mr. Laird,
3. Mr. Mitchell,

NAYS.

4. Mr. Slaymaker,
5. Mr. Vance,
6. Mr. Wayne.

Fourteen Yeas and six Nays, by which it appeared that the question was determined in the affirmative.

The section as amended was adopted.

The remaining section, with the preamble and title being agreed to.

Ordered, That the said bill be prepared for the third reading.

The Clerk of the House of Representatives presented for concurrence, three bills entitled as follow, to wit:

1. "An act supplementary to the several acts of this Commonwealth, concerning partitions, and for other purposes therein mentioned."

2. "A supplement to the act, entitled "An act to provide for the erection of a house for the employment and support of the poor, in the counties of Chester and Lancaster."

3. "A further supplement to the penal laws of this State."

Which were severally read the first time.

The bill, entitled "An act to raise by way of lottery a sum not exceeding seven thousand dollars, for the purpose of erecting a bridge over French creek, opposite the town of Franklin, in the county of Ve-

nango," as reported by committee of the whole, on the sixteenth instant, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The report of the committee of the whole, (which negatived the first section) on the bill, entitled "An act for the establishment of schools throughout this Commonwealth," read on the fifth instant, was again read.

Whereupon,

The Yeas and Nays on adopting the same, were required by Mr. Pennell and Mr. Hart, and on the question, being put, the Members voted as follow, to wit:

YEAS.

1. Mr. Harris,
2. Mr. Hart,
3. Mr. Heister,
4. Mr. Laird,
5. Mr. Lattimore,
6. Mr. Mayer,
7. Mr. Mewhorter,

YEAS.

8. Mr. Miller,
9. Mr. Rahm,
10. Mr. Richards,
11. Mr. Slaymaker,
12. Mr. Spangler,
13. Mr. Wayne.

NAYS.

1. Mr. Brady,
2. Mr. Martin,
3. Mr. M'Arthur,

NAYS.

4. Mr. Mitchell,
5. Mr. Pennell,
6. Mr. Lane, *Speaker*.

Thirteen Yeas and six Nays, by which it appeared that the question was determined in the affirmative, and so the bill was lost.

The bill, entitled "An act for the relief of George Parson," as reported by committee of the whole, on the fourteenth instant, was considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

The report of the committee of the whole, (which negatived the first section) on the bill, entitled "A supplement to an act, entitled "An act for the incorporation of the college of physicians of Philadelphia," read on the eighteenth ultimo, was again read, considered and adopted, and so the bill was lost.

Adjourned 'till 10 o'clock, to-morrow morning.

*Saturday, March 21, 1807.*

The Speaker laid before the Senate the report of the president, managers and company, of the Bustleton and Smithfield turnpike road company, of their accounts between the nineteenth March, one thousand eight hundred and five, and thirtieth December, one thousand eight hundred and six, by which it appears;

The capital stock of the company is  $\$74,725\ 90$

|                 |                        |
|-----------------|------------------------|
| Amount of tolls | $\$799\ 50\frac{1}{2}$ |
| Deduct charges  | $595\ 55\frac{1}{2}$   |

|                                |           |
|--------------------------------|-----------|
| Nett profits arising from toll | $203\ 95$ |
|--------------------------------|-----------|

Mr. Pennell presented the memorial of the subscribers thereto, citizens of the Northern-Liberties, remonstrating against the petition (presented on the twenty-third January) of certain persons, praying, that the said Liberties may be divided for election purposes; and the said memorial was twice read, and referred to the committee to whom, the said petition was referred.

Mr. Dorsey presented the memorial of the president and directors of the Philadelphia bank, praying to be enabled to establish branch-banks or offices of discount and deposit, in such towns and boroughs in the interior of the State, as they may deem necessary for the promotion of agriculture and commerce; and the said memorial was twice read, and referred to Mr. Dorsey, Mr. Vance and Mr. Pennell, to consider and report thereon, by bill or otherwise.

Mr. Vance from the committee appointed for that purpose, on the nineteenth instant, reported the bill, entitled "An act granting to Andrew Poe, a tract of donation land," which was read the first time.

Mr. M'Arthur from the committee to whom was referred, on the eighteenth instant, the petition of George



Ross, on leave now given reported the bill, entitled "A supplement to the act, entitled "An act to erect parts of the counties of Lycoming, Huntingdon and Somerset, into separate county districts, which was read the first time.

Mr. Brady from the committee to whom was referred, on the fifth instant, the "Resolution for the distribution of the Journals of the General Assembly in the German language," reported the same with amendments, which were read as reported.

The bill, entitled "An act authorizing the President of the United States, to open a road through that part of this State, lying between Cumberland, in the State of Maryland, and the Ohio river," which originated in the House of Representatives, was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with one amendment, in which the concurrence of that House is requested.

[*For the amendment, see Journal of yesterday.*]

The bill, entitled "A further supplement to the act, entitled "An act to alter and amend the act, entitled "An act to regulate the general elections within this Commonwealth," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act for the relief of George Parson," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act to raise by way of lottery, a sum of money not exceeding three thousand dollars, to enable the inhabitants of the borough of York, to bring in a stream of water, to supply their fire-engines, and for other purposes," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act to raise by way of lottery, a sum not exceeding seven thousand dollars, for the purpose of erecting a bridge over French creek, opposite the town of Franklin, in the county of Venango," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act to enable the Governor, to incorporate a company for making an artificial road by the best and nearest route, from the borough of York, to the Maryland line, at the place the present road passes the same, or as near thereto, as the commissioners shall find expedient," was read the second time, as reported by committee of the whole, yesterday, and considered by section.

Section I, being under consideration.

A motion was made by Mr. Harris and Mr. Wayne, to amend the section, by inserting a provision, extending the road to Wright's ferry by reason of the act incorporating that company, not having been carried into effect.

Which was agreed to.

Whereupon,

On motion of Mr. Harris and Mr. Brady,  
The further consideration of the section and bill was postponed for the present.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I HAVE approved and signed the following acts of the General Assembly, and directed the Secretary to return the same to the House of Representatives, in which they originated, to wit:

1. "A supplement to an act, entitled "An act for the more speedy and effectual collection of certain debts due to this Commonwealth."
2. "An act to incorporate the Lancaster and Susquehanna insurance company."
3. "An act to alter the time of holding the June fair, in the borough and county of Lancaster."
4. "An act granting to the trustees of the University of Pennsylvania, a sum of money for the purpose of enabling them to establish a botanical garden."
5. "An act establishing an academy in the borough of Wilkesbarre, in the county of Luzerne, and granting a sum of money thereto."
6. "An act to enable Sarah Morgan, administratrix, and Jonathan Morgan, administrator, to the estate of Isaac Morgan, deceased, to convey a tract of land, in Charlestown township, Chester county."
7. "A resolution relative to the prevention of the importation of slaves, into the United States."

THOMAS M'KEAN.

*Lancaster, March 20, 1807.*

The Clerk of the House of Representatives presented for signature, two bills and a resolution, entitled as follow, to wit:

1. "An act for the relief of Bernard Hubley, of the county of Northumberland."

2. "An act authorizing certain persons therein named, to lease a tract of land, situate in Falls township, Bucks county, and to appropriate the rents thereof, for the education of poor children in said township."

3. "Resolution relative to the conflicting claims of certain actual settlers, and certain warrantees, to lands lying north and west of the rivers Ohio and Allegheny, and Conewango creek."

Whereupon,

The Speaker signed the said bills and resolution.

On motion,

The Senate resumed in committee of the whole, (Mr. Vance in the Chair) the consideration of the bill, entitled "An act to alter and amend the act, entitled "An act to provide for the settlement of the public accounts, and for other purposes therein mentioned," and

After some time,

The committee rose, and reported the bill with one amendment, which was read as reported.

The Clerk of the House of Representatives informed, that that House have concurred the amendments by Senate, to the bills entitled as follow, viz.

"An act making appropriation for improving the road, leading from Milesburg, in Centre county, to Waterford, in Erie county," and, "An act to provide for the enumeration of the taxable inhabitants and slaves within this Commonwealth."

Also, that they have concurred the amendments by Senate, to the bill, entitled "An act to provide for the removal of the powder magazine from the city of Philadelphia," with amendments thereto.

But that they do not concur in the amendment by Senate, to the bill, entitled "An act authorizing the President of the United States, to open a road through that part of this State, lying between Cumberland, in the State of Maryland, and the Ohio river."

And he returned the bills, entitled as follow, to wit:  
"A supplement to the act, entitled "An act to erect the town of Canonsburg, in the county of Washington, into a borough," and "An act to extend the right of peremptory challenge, to cases not hitherto, provided for."

And informed, that the House of Representatives have passed the said bills with amendments, in which the concurrence of Senate is requested.

The amendments by the House of Representatives, to the amendments by Senate, on the bill, entitled "An act for the removal of the powder magazine from the the city of Philadelphia," were read as follow, to wit:

Section I, lines 20 and 21, strike out "and not nearer than one quarter of a mile, to any dwelling without consent of the owner"

Lines 25 and 26, strike out "and not nearer than one half a mile to any dwelling, without consent of the owner"

Whereupon,

On motion and by special order,

The said amendments were again read, considered and concurred in.

Ordered, That the Clerk acquaint the House of Representatives thereof.

The amendment by the House of Representatives, to the bill, entitled "A supplement to the act, entitled "An act to erect the town of Canonsburg, in the county of Washington, into a borough," was read as follow, to wit:

Strike out the preamble.

Whereupon,

On motion and by special order,

The said amendment was again read, considered and concurred in.

Ordered, That the Clerk acquaint the House of Representatives thereof.

The amendments by the House of Representatives, on the bill, entitled "An act to extend the right of peremptory challenge, to cases not hitherto provided for," were read as follow, to wit:

Section I, line 5, after the word "felony" insert "not capital"

Line 7, make "twenty" read "ten"

Whereupon,

On motion and by special order,

The said amendments were again read, considered and concurred in.

Ordered, That the Clerk acquaint the House of Representatives thereof.

The bill, entitled "An act granting George Huber and Michael Zeller, a tract of donation land," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill without amendment.

The bill, entitled "A further supplement to the act, entitled "An act for the regulation of the militia of the Commonwealth of Pennsylvania," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Wayne in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill without amendment.

Whereupon,

On motion and by special order,

The said bill as reported by committee of the whole, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "A further supplement to the act, entitled "An act to provide for the erection of houses for the employment and support of the poor, in the counties of Chester and Lancaster," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with amendments, which were read as reported.

Thereupon,

On motion and by special order,

The said bill as reported by committee of the whole, was considered by section and agreed to.

The title being amended, so as to embrace the county of Delaware, and to conform to the amendments made in the bill, was agreed to.

Ordered, That the said bill be prepared for the third reading.

On motion and by special order,

The "Resolution for the distribution of the Journals of the General Assembly, in the German language," as reported by special committee, this day, was read the second time, considered and adopted.

Ordered, That it be returned to the House of representatives, with information that Senate have ed the said resolution with amendments, in which the concurrence of that House is requested.

The amendments are An alteration of the n copies apportioned to the counties respect some verbal amendments.

The "Resolution respecting the publi laws in the newspapers," read on the nin was again read, considered and adopte

Ordered, That that it be present of Representatives for concurrence.

Adjourned till 9 o'clock, Me

*Monday, March 23, 1807.*

The Speaker laid before the Senate a letter from the Secretary of the Commonwealth, informing, that he had transmitted to the House of Representatives, sundry depositions, and other documents, in the case of Llewellen Young, esquire, a justice of the peace in Montgomery county, agreeably to the act, respecting complaints against justices of the peace; and the same was read, and

Laid upon the table.

Mr. Mayer presented the petition of the subscribers thereto, appointed trustees, for the building a church in the village of Strasburg, Lancaster county, praying to be enabled to raise six thousand dollars, by way of lottery, for the purpose of finishing the said church, and discharging some debts necessarily incurred in the erection of the same; and the said petition was twice read, and referred to Mr. Mayer, Mr. Mewhorter and Mr. Richards, to consider and report thereon.

Mr. M'Arthur from the committee to whom was referred, the petitions of the subscribers thereto, inhabitants of the counties of Crawford and Venango, on the subject of roads, on leave now given, reported the bill, entitled "An act making appropriations for the improvement of certain roads in the western counties, and authorizing the courts of the respective counties, to appoint fit persons to view and lay out the same," which was read the first time.

The bill, entitled "A further supplement to the act, entitled "An act for the regulation of the militia of the Commonwealth of Pennsylvania,"" was read the third time.

Whereupon,

A motion was made by Mr. Miller and Mr. Mitchell, to postpone the further consideration thereof for the present.

Which was not agreed to.



Thereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "A further supplement to the act, entitled "An act to provide for the erection of houses for the employment and support of the poor, in the counties of Chester and Lancaster," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence of that House is requested.

(The amendments are to extend the provisions of the act to Delaware county, poor-house.)

The bill, entitled "An act to alter and amend the act, entitled "An act to provide for the settlement of public accounts, and for other purposes therein mentioned," as reported yesterday, by committee of the whole, was considered by section.

Section I, being under consideration.

A motion was made by Mr. Wayne and Mr. Brady, to amend the section by adding the following to the end thereof:

"*Provided always*, That in all cases where the parties shall not be satisfied with the settlement of their respective accounts in the manner aforesaid, or where there shall be reason, to suppose that justice has not been done to the Commonwealth, the Governor may and shall in like manner, and upon the same conditions as heretofore, allow appeals or cause suits to be instituted as the case may require.

Whereupon,

On motion of Mr. Vance and Mr. Laird,

The further consideration of the bill, with the motion to amend, were postponed for the present.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

The bill, entitled "An act to repeal the nineteenth section of the act, to regulate the general elections within this Commonwealth," was presented to me on Tuesday the tenth instant, and as it has not been returned by me within ten days, (Sundays excepted) since I received it, the bill is now become a law. I have directed the Secretary, to return it to the House of Representatives, in which it originated.

THOMAS M'KEAN.

*Lancaster, March 23, 1807.*

The bill, entitled "A act granting George Huber and Michael Zeller, a tract of donation land," as reported by committee of the whole, on the twenty-first instant, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act to render perpetual a certain act respecting the Philadelphia and Lancaster turnpike road," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Rahm in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with one amendment, which was read as reported.

The bill, entitled "An act to raise by way of lottery a sum of money, to defray the expences incurred by the trustees of the German Lutheran congregation, in and near the borough of Lancaster," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Richards in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with amendments, which were read as reported.

The bill, entitled "A supplement to, and making perpetual an act for the recovery of debts and demands, not exceeding one hundred dollars, before a justice of the peace, and for the election of constables, and for other purposes," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with one amendment, which was read as reported.

The bill, entitled "An act granting to Andrew Poe a tract of donation land," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The "Address to Thomas Jefferson, President of the United States, requesting him to permit his name to be used as a candidate at the next Presidential Election," as reported by special committee, on the thirteenth instant, was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Miller in the Chair) for the further consideration thereof; and

After some time,

The committee rose, reported progress, and had leave to sit again to-morrow.

The message from the House of Representatives informing, that that house have not concurred in the amendment by Senate, on the bill, entitled "An act authorizing the President of the United States, to

open a road through that part of this State, lying between Cumberland, in the State of Maryland, and the Ohio river," read on the twenty-first instant, was again read.

Whereupon,

Resolved, That Senate insist upon their amendment on said bill, and that Mr. Harris, Mr. Pennell, Mr. Dorsey, Mr. M'Arthur and Mr. Richards, be a committee to confer with a committee of the House of Representatives, on the subject of the said amendment; and

Ordered, That the Clerk acquaint the House of Representatives thereof.

The Clerk of the House of Representatives informed Senate, that that House have concurred in the amendments by Senate, to the bill, entitled "A further supplement to the act, entitled "An act to provide for the erection of houses for the employment and support of the poor, in the counties of Chester and Lancaster."

And he presented for concurrence, three bills, entitled as follow, to wit:

1. "A supplement to an act, entitled "An act directing the mode of selecting and returning jurors."

2. "An act to authorize the Governor to subscribe on behalf of the Commonwealth, for shares of stock in certain turnpike companies."

3. "An act regulating the appointment of circuits courts."

Which were severally read the first time.

The bill, entitled "An act to authorize Robert Kennedy, to dig and support a millrace in and adjacent to the river Schuylkill, near its falls," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. M'Arthur in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with amendments, which were read as reported.

The bill, entitled "An act for the relief of the heirs of the estate of Joseph Siles, deceased," was read the second time, and considered by section.

The first and only section being under consideration.

After debate,

A motion was made by Mr. Wayne and Mr. Richards, to postpone the further consideration of the section and bill for the present.

" Which was agreed to.

Mr. Vance from the committee appointed for that purpose, reported:

That the committee in conjunction with the committee of the House of Representatives, have, this day, presented to the Governor for his approbation, three bills, entitled as follow, to wit:

1. "An act for the relief of Bernard Hubley, of the county of Northumberland."

2. "An act authorizing certain persons therein named, to lease a tract of land, situate in Falls township, Bucks county, and to appropriate the rents thereof, for the education of poor children in said township."

3. "A resolution concerning the conflicting claims, to lands north and west of the rivers Ohio and Allegheny, and Conewango creek."

Adjourned till 10 o'clock, to-morrow morning.

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*Tuesday, March 24, 1807.*

Mr. Mayer from the committee to whom, was yesterday referred, the petition of the subscribers thereto, appointed trustees for the building a church in the village of Strasburg, on leave now given, reported the bill, entitled "An act to raise by way of lottery, a sum of money, to defray the expences incurred by

the trustees of the Lutheran congregation, in and near the village of Strasburg, in the county of Lancaster," which was read the first time.

Mr. Wayne from the committee appointed on the tenth instant, to examine and report whether any alteration, in the compensation allowed county commissioners, be necessary, on leave then given, reported the bill, entitled "A further supplement to an act, entitled "An act to raise and collect county rates and levies," which was read the first time.

Mr. Dorsey from the committee appointed on the seventh instant, to join a committee of the House of Representatives, on the disagreement between the two Houses, on the bill, entitled "An act to prohibit the distilling and boiling of turpentine and oil, and the manufacturing of varnish, within the city of Philadelphia, and its neighbourhood," made report, which was read as follows, to wit:

"That they have had a meeting on the subject, referred to them, as aforesaid, and being enable to agree on the principles of the said bill, recommend its postponement generally."

Mr. Dorsey from the committee to whom was referred on the twenty-first instant, the memorial of the president and directors of the Philadelphia bank, on leave then given, reported the bill, entitled "An act allowing the Philadelphia bank, to establish branches," which was read the first time.

Mr. Mayer from the committee to whom was referred, the thirteenth instant, the petition of the subscribers thereto; the members of the Protestant Episcopal church, in the borough of Lancaster, on leave now given, reported the bill, entitled "An act to raise by lottery, a sum of money to enable the trustees of Protestant Episcopal congregation, in the borough of Lancaster, to repair their steeple and house of worship," which was read the first time.

The bill, entitled "An act granting George Huber and Michael Zeller, a tract of donation land," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act granting to Andrew Poe, a tract of donation land," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act to render perpetual a certain act, respecting the Philadelphia and Lancaster turnpike road," as reported by committee of the whole, yesterday, was considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act to raise by way of lottery a sum of money, to defray the expences, incurred by the German Lutheran congregation, in and near the borough of Lancaster," was read the second time, considered by section and agreed to.

Whereupon,

The Yeas and Nays on the question, "*Shall this bill be prepared for the third reading?*" were required by Mr. Vance and Mr. Pennell, and, on the question, being put, the Members voted as follow, to wit:

YEAS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Hart,
4. Mr. Heister,
5. Mr. Laird,
6. Mr. Lattimore,
7. Mr. Martin,
8. Mr. Mayer,

YEAS..

9. Mr. M'Arthur,
10. Mr. Mewhooster,
11. Mr. Miller,
12. Mr. Rahm,
13. Mr. Richards,
14. Mr. Spangler,
15. Mr. Wayne,
16. Mr. Lane, *Speaker.*

NAYS.

1. Mr. Dorsey,
2. Mr. Pennell,

NAYS.

3. Mr. Vance.

Sixteen Yeas and three Nays, by which it appeared that the question was determined in the affirmative.

The bill, entitled "A supplement to, and making perpetual an act, entitled "An act for the recovery of debts and demands not exceeding one hundred dollars, before a justice of the peace, and for the election of constables, and for other purposes," as reported by committee of the whole, yesterday, was considered by section.

Sections I, to IX, inclusive, were severally agreed to.

Section X, being under consideration.

A motion was made by Mr. Brady and Mr. M'Arthur, to postpone the further consideration of the section and bill for the present.

Which was agreed to.

The Clerk of the House of Representatives presented two extracts from the Journal of that House; and for concurrence, the bill, entitled "An act for the punishment of offences, committed on the river Susquehanna, and other navigable streams, declared public highways."

The extracts from the Journal of the House of Representatives were read as follow, to wit:

*"In the House of Representatives,*

*March 23, 1807.*

Resolved, That a committee be appointed, to confer with a committee of Senate (already appointed) on the the subject of the amendment by Senate, to the bill, entitled "An act authorizing the President of the United States, to open a road through that part of this State, lying between Cumberland, in the State of Maryland, and the Ohio river," non concurred in by this House and insisted on by Senate; and

Ordered, That Messrs. Binney, Welles, Lacock, Kerr and Tarr, be a committee for said purpose."



Resolved, That the Legislature do adjourn on Friday the third day of April next."

The bill presented for concurrence, was read the first time.

The bill, entitled "An act to authorize Robert Kennedy, his heirs and assigns to dig and support a mill-race, in and adjacent to the river Schuylkill, near its falls," as reported by committee of the whole, yesterday, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act erecting a middle district of the supreme court," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Richards in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with amendments, which were read as reported.

The bill, entitled "An act for the relief of William Chancellor and others," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Hart in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with amendments, which were read as reported.

Agreeably to order, the Senate resumed in committee of the whole, (Mr. Miller in the Chair) the consideration of the "Address to Thomas Jefferson, President of the United States," and

After some time,

The committee rose, and reported progress.

Whereupon,

The Yeas and Nays, on the question, "*Shall the committee of the whole have leave to sit again for the*

*further consideration of the said address?"* were required by Mr. Pennell and Mr. Wayne, and, on the question, being put, the Members voted as follow, to wit:

YEAS.

1. Mr. Dorsey,
2. Mr. Heister,
3. Mr. Laird,
4. Mr. Lattimore,
5. Mr. Martin,
6. Mr. Mayer,
7. Mr. M'Arthur,

NAYS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Hart,
4. Mr. Mewhorter,

YEAS.

8. Mr. Mitchell,
9. Mr. Pennell,
10. Mr. Rahm,
11. Mr. Spangler,
12. Mr. Vance,
13. Mr. Lane, *Speaker*.

NAYS.

5. Mr. Miller,
6. Mr. Richards,
7. Mr. Wayne.

Thirteen Yeas and seven Nays, by which it appeared that the question was determined in the affirmative.

Ordered, That the committee of the whole, shall sit again on Thursday next, for the further consideration of said address.

On motion of Mr. Wayne and Mr. Pennell,

Agreed, That the committee to whom was referred on the nineteenth instant, the bill, entitled "An act for the regulation of the militia of the Commonwealth of Pennsylvania," be discharged, and

The consideration of the bill recurring.

A motion was made by Mr. Pennell and Mr. Wayne, to postpone the further consideration thereof for the present.

Which was agreed to.

The bill, entitled "A further supplement to the act, entitled "An act to incorporate the city of Philadelphia," as reported by committee of the whole, on the third instant, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

On motion,

The Senate resumed the consideration of the bill, entitled "An act to enable the Governor to incorporate a company, for making an artificial road, by the best and nearest route, from the borough of York, to the Maryland line, at the place the present York-road passes the same, or as near thereto, as the commissioners shall find expedient."

The consideration of section I, recurring.

After debate,

A motion was made by Mr. Miller and Mr. Brady, to postpone the further consideration of the bill for the present.

Which was agreed to.

On motion of Mr. Wayne and Mr. Pennell.

Adjourned till 3 o'clock, in the afternoon.

### *SAME DAY IN THE AFTERNOON.*

On motion of Mr. Pennell and Mr. Hart,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration of the bill, entitled "An act for the regulation of the militia of the Commonwealth of Pennsylvania," and

After some time,

The committee rose, and reported the bill without amendment.

Adjourned 'till 9 o'clock, to-morrow morning.

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### *Wednesday, March 25, 1807.*

The Speaker laid before the Senate a letter from the Secretary of the Commonwealth, informing, that he had transmitted to the House of Representatives, sundry depositions, and other documents, in the case of James C. M'Guire, esquire, a justice of the peace of Cambria county, agreeably to the act, providing for

complaints against justices of the peace ; and the same was read, and

Laid upon the table.

Mr. Hart presented the petition of the subscribers thereto, inhabitants of Bucks county, in opposition to the erection of a poor-house in said county, and praying that the bill, now before the Senate, for that purpose may not be passed into a law ; and the same was read, and

Laid upon the table.

Mr. Hart also presented the petition from the subscribers thereto, inhabitants of Bucks county, praying that the bill for the erection of a poor-house in that county, may be passed into a law, and that, those townships (the people of which are opposed to a poor-house) may be exonerated from the provisions of the said bill ; and the same was read, and

Laid upon the table.

Mr. Laird presented the petition of Jacob Zournes, an inhabitant of Beaver township, in the county of Northumberland ; stating, that his dwelling house and mill, with household furniture, grain, &c. have been destroyed by fire, and the petitioner with his family, reduced to distress : He therefore prays to be enabled, to raise by way of lottery, a sum of money to reinstate his family in a comfortable situation ; and the same was twice read, and referred to Mr. Laird, Mr. Martin and Mr. Mitchell, to consider and report thereon.

The bill, entitled " An act to render perpetual a certain act, respecting the Philadelphia and Lancaster turnpike road," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with one amendment, in which the concurrence of that House is requested.

The amendment is make the penalty, for carrying a greater burthen than the law allows, "ten" instead of "thirty" dollars.

The bill, entitled "An act to raise by way of lottery a sum of money, to defray the expences incurred by the trustees of the German Lutheran congregation, in and near the borough of Lancaster," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence of that House is requested.

The amendments are—

"To introduce a provision allowing commissioners therein named, to raise a sum of money, also, by lottery, for the use of the Presbyterian congregation of Pittsburg," and to conform the title to this amendment.

The bill, entitled "A further supplement to the act, entitled "An act to incorporate the city of Philadelphia," was read the third time.

Whereupon,

A motion was made by Mr. Laird and Mr. Richards, to postpone the further consideration of the bill, and recommend it to the attention of the Senate, at their next session.

Which was agreed to.

The Bill, entitled "An act to authorize Robert Kennedy, his heirs and assigns, to dig and support a mill-race, in and adjacent to the river Schuylkill, near its falls," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act erecting a middle district of the supreme court," as reported by committee of the whole, yesterday, was considered by section.

Sections I, to VII, inclusively, were severally agreed to.

A motion was then made by Mr. Wayne and Mr. Mayer, to introduce a new section, as follows, to wit:

"Section VIII. *And be it further enacted by the authority aforesaid,* That there shall be an additional judge of known integrity and ability, commissioned by the Governor as a judge of the supreme court, and the said judge shall have all the like rights, privileges and powers, which the judges of the supreme court now by law possess."

Which was not agreed to.

On motion of Mr. Harris and Mr. Brady,

Agreed, That the last section of the bill, yesterday, stricken out in committee of the whole, be restored and called section LX, as follows, to wit:

"*And be it further enacted by the authority aforesaid,* That so much of any law or laws, as is by this act altered and supplied, be and the same is, hereby repealed."

The title of the bill being agreed to.

The Yeas and Nays on the question, "*Shall this bill be prepared for the third reading?*" were required by Mr. Brady and Mr. Wayne, and, on the question, being put, the Members voted as follow, to wit:

#### YEAS.

1. Mr. Brady,
2. Mr. Dorsey,
3. Mr. Harris,
4. Mr. Heister,
5. Mr. Laird,
6. Mr. Lattimore,

#### YEAS.

7. Mr. Miller,
8. Mr. Rahm,
9. Mr. Richards,
10. Mr. Spangler,
11. Mr. Lane, *Speaker.*

#### NAYS.

1. Mr. Hart,
2. Mr. Martin,
3. Mr. Mayer,

#### NAYS.

4. Mr. M'Arthur,
5. Mr. Mewhorter,
6. Mr. Mitchell,

NAYS.

7. Mr. Pennell,  
8. Mr. Slaymaker,

NAYS.

9. Mr. Vance,  
10. Mr. Wayne.

Eleven Yeas and ten Nays, by which it appeared the question was determined in the affirmative.

The Secretary of the Commonwealth presented two several messages from the Governor, which were read as follow, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I HAVE, this day, approved and signed the following acts of the General Assembly, and directed the Secretary to return the same to the House of Representatives, in which they originated:

1. "An act authorizing certain persons therein named, to lease a tract of land in Falls township, Bucks county, and to appropriate the rents thereof, for the education of poor children in said township."

2. "An act for the relief of Bernard Hubley, of the county of Northumberland."

THOMAS M'KEAN.

*Lancaster, March 24, 1807.*

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I HAVE considered the bill, entitled "An act to prevent the recorder of the city of Philadelphia, from practising as an attorney or counsellor, in any court of justice in this Commonwealth or elsewhere," but as I cannot approve it, I have returned it with the following objections to the House of Representatives, in which it originated.

1. The bill appears to be founded upon an erroneous opinion of the nature, and duties of the office of recorder. From the origin of the office, to the present day, the recorder has been regarded as the counsellor of the corporation, by which he is appointed its organ in pronouncing judicial sentences, and its advo-

cate in maintaining the corporate rights and interests. It is therefore essential to the nature and duties of office, that the recorder should be entitled to appear on behalf of the corporation, in every court of justice; and experience has established the policy and convenience of selecting a recorder from lawyers most eminent in practice, as well as in legal knowledge.

2. The bill will deprive the corporation of the peculiar services, for which it compensates the recorder out of the city funds, and makes no provision to pay out of the funds of the State for the services, which he renders in the general administration of justice. For as the organ of the mayor's, court (a court of criminal jurisdiction) the recorder is as much in the service of the State, as the president of a court of quarter sessions, and when he ceases to be counsellor and advocate of the corporation of Philadelphia, his official compensation should no more be charged, exclusively upon the city, than the official compensation of the president of the quarter sessions of Philadelphia county, should be exclusively charged on that county.

3. The compensation allowed by the corporation to its recorder, is evidently predicated upon his continuance, in the exercise of his profession, but by the operation of this bill, he will be deprived of that resource, and no adequate means are substituted for the maintenance of a family in an expensive city.

4. The bill will operate as *expost facto*, and oppressively in relation to the present recorder, who accepted the office, upon the tenure of good behaviour, without contemplating a relinquishment of his profession; and who will be compelled suddenly during the actual session of the courts, either to resign the office, or to abandon his duty to his clients.

5. The bill might be perverted into a precedent fatal to the executive power of appointment, and to the employment of the fittest men for the service of the Commonwealth. For it is of little importance, whether



a law declares directly, that the Governor shall cease to appoint to office, or so modifies the duties of the office, or fetters the conduct of the officer, that as often as he appoints the officer shall be compelled to resign. And with equal regard to the public welfare, and my own reputation permit me to add, that I am confident it will be impracticable on the terms of this bill, to prevail on a competent character, to hold or to accept the commission of recorder.

6. For more than one hundred years this practice has been permitted and approved by the Legislature of Pennsylvania, and found beneficial.

7. The passage of this bill would be legislating upon the public interests of the city of Philadelphia, in an important particular, without any request from its councils or people for that purpose, and without any known public inconvenience to warrant it.

THOMAS M'KEAN.

*Lancaster, March 25, 1807.*

The bill, entitled "An act for the relief of William Chancellor and others," as reported by committee of the whole, yesterday, was considered by section, and agreed to Whereupon,

The question, "*Shall this bill be prepared for the third reading?*" being put.

A motion was made by Mr. Harris and Mr. Brady, to postpone the further consideration thereof, with the bill for the present.

Which was agreed to.

On motion,

The Senate resumed the consideration of the bill, entitled "A supplement to, and making perpetual an act, for the recovery of debts and demands not exceeding one hundred dollars, before a justice of the peace, and for the election of constables, and for other purposes."

The consideration of section X, recurring.

A motion was made by Mr. Brady and Mr. Wayne, to amend the section by striking the following from

lines 11, 12, 13 and 14, "and should the said A. B. not appear before the said justice on the day aforesaid, and I do hereby authorize and empower the said justice to enter me the aforesaid C. D. as special bail for the said A. B."

Which was agreed to.

On motion of Mr. Brady and Mr. Wayne,

The section was further amended by striking from the word "suit" in line 22, to the end of the section the following: "and such bail shall be proceeded against by *scire facias*, and shall be liable in the same manner as special bail, is now liable in cases in the courts of common pleas: *Provided nevertheless*, That such special bail may surrender the principal to the jail of the proper county, within thirty days after service of a *scire facias*, in discharge of his bail."

The section as amended was adopted.

The remaining sections with the title being agreed to.

Ordered, That the said bill be prepared for the third reading.

The bill, entitled "A supplement to an act, entitled "An act for regulating weights and measures," was read the second time, and considered by section.

After debate,

A motion was made by Mr. Laird and Mr. Wayne, to postpone the further consideration of the bill, and recommend it to the attention of the Senate at their next session.

Which was agreed to.

The Clerk of the House of Representatives informed Senate, that that House have concurred the amendments by Senate, to the "Resolution for the distribution of the Journals in the German language," except that relative to the distribution for Bucks county, in which they do not concur.

He returned the bills and resolution entitled as follows, to-wit:

1. "An act for the relief of Archibald McFall."

2. "An act to authorize the Governor of this Commonwealth, to incorporate a company for making an artificial road from the Philadelphia and Lancaster turnpike road, in Lancaster county, at or near the Gap-tavern, and to extend thence the nearest and best practicable course by Cochran's; Chatham and Chandlers taverns, to the line of the State of Delaware, so as to communicate with a contemplated artificial road, to extend thence the nearest and best practicable course to Newport on Christiana creek, in the State of Delaware, to be authorized by a law of that State."

3. "A resolution to prohibit the publication of laws in the newspapers at the public expence."

An informed that the House of Representatives have passed the same; the bills with amendments, in which the concurrence of Senate is requested; and the resolution without amendment.

And he presented for concurrence the bills entitled as follow, to wit:

1. "An act to authorize the sale and conveyance of the real estate of Philip Nicklin, by his surviving partner and legal representatives."

2. "An act to enable Edward Tilghman, junior, on behalf of his wife Rebecca Tilghman and the guardians of Ann Waln, Rebecca Wharton and Susan Wharton, minors, to make partition of certain lands belonging to them and others as tenants in common."

3. "An act making an appropriation for improving the navigation of Le Bœuff and French creeks, from Waterford to the south line of Erie county."

4. "An act authorizing the court of quarter sessions of Butler county, to direct a review of that part of the State-road leading from Blairs gap to the western boundary of the State, which lies between the twenty-fourth and twenty-seventh mile-trees."

5. "An act granting pensions to John Unruh and William Unruh."

Which were severally read the first time.

The amendments by the House of Representatives on the bill, entitled "An act for the relief of Archibald M'Fall," were read as follow, to wit:

Section I, line 5, between the words "paid to" insert "half yearly"

Strike out from the word "seven" to the word "on" in line 11.

Preamble—strike out the 10th, 11th, 12th, 13th, 14th, 15th, 16th, and to the word "is" in line 17th, retaining the word "and" in said line.

Make the title read "An act granting an annuity to Archibald M'Fall."

The amendments, on the bill, entitled "An act to authorize the Governor of this Commonwealth, to incorporate a company for making an artificial road from the Philadelphia and Lancaster turnpike road in Lancaster county, at or near the Gap-tavern, and to extend thence the nearest and best practicable course by Cochran's, Chatham and Chandler's taverns, to the line of the State of Delaware, so as to communicate with a contemplated artificial road to extend thence the nearest and best practicable course to Newport on Christiana creek, in the State of Delaware, to be authorized by a law of that State," were read as follow, to wit:

Section XIV, line 17, insert after the word "inquisition" the word "not"

Strike from lines 17 and 18, these words "out of order and repair according to the true intent and meaning of this act" and insert "in such good order and repair as herein is required"

Add to the end of the XXVII section the following:

*"Provided always,* That it shall be the duty of the viewers in assessing damages, to take into consideration the advantages derived from said road, passing through the land of the complainant, and that when the said road shall happen to be laid out and founded, on any former laid out and confirmed road, the owner or owners of such lands shall not be entitled to receive compensation from the company for any damages so sustained thereby."

Make the title and the recital thereof, in the first section, read as follows: "An act to authorize the Governor, to incorporate a company from the Philadelphia and Lancaster turnpike road, in Lancaster county, at or near the Gap-tavern, to the line of the State of Delaware."

The bill, entitled "A supplement to an act, entitled "An act making an appropriation for the building of a bridge in Somerset county," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

On motion,

The Senate resumed the consideration of the bill, entitled "An act to alter and amend the act, entitled "An act to provide for the settlement of public accounts, and for other purposes therein mentioned," postponed for the present, on the twenty-third instant.

The consideration of section I, with the amendment offered by Mr. Wayne and Mr. Brady, recurring, to wit:

Insert at the end of the section: "*Provided always*, That in all cases where the parties shall not be satisfied with the settlement of their respective accounts in the manner aforesaid, or where there shall be reason to suppose that justice has not been done to the Commonwealth, the Governor may and shall in like manner, and upon the same conditions as heretofore, allow appeals or cause suits to be instituted as the case may require."

The Yeas and Nays on agreeing thereto, were required by Mr. Wayne and Mr. Hart, and, on the question, being put, the Members voted as follow, to wit:

YEAS.

YEAS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Mayer,
4. Mr. Mewhorter,

5. Mr. Richards,
6. Mr. Slaymaker,
7. Mr. Wayne.

**NAYS.**

1. Mr. Dorsey,
2. Mr. Hart,
3. Mr. Heister,
4. Mr. Laird,
5. Mr. Martin,
6. Mr. McArthur,

**NAYS.**

7. Mr. Mitchell,
8. Mr. Pennell,
9. Mr. Rahm,
10. Mr. Spangler,
11. Mr. Vance,
12. Mr. Lane, *Speaker*.

Seven Yeas and twelve Nays, by which it appeared that the question was determined in the negative.

The section was adopted.

Section II, being under consideration.

The Yeas and Nays on agreeing thereto, were required by Mr. Wayne and Mr. Hart, and, on the question, being put, the Members voted as follow, to wit:

**YEAS.**

1. Mr. Dorsey,
2. Mr. Hart,
3. Mr. Heister,
4. Mr. Laird,
5. Mr. Martin,
6. Mr. McArthur,

**YEAS.**

7. Mr. Mitchell,
8. Mr. Pennell,
9. Mr. Rahm,
10. Mr. Spangler,
11. Mr. Vance.

**NAYS.**

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Mayer,
4. Mr. Mewhorter,

**NAYS.**

5. Mr. Richards,
6. Mr. Slaymaker,
7. Mr. Wayne,
8. Mr. Lane, *Speaker*.

Eleven Yeas and eight Nays, by which it appeared that the question was determined in the affirmative.

The remaining sections with the title being agreed to.

Ordered, That the said bill be prepared for the third reading.

Adjourned till 3 o'clock P. M.

### ***SAME DAY IN THE AFTERNOON.***

On leave given, Mr. Laird read a bill in his place, and by permission presented the same to the Chair, entitled "An act for the removal of the Seat of Government," which was read the first time.

The bill, entitled "An act for the regulation of the militia of the Commonwealth of Pennsylvania," as reported by committee of the whole, yesterday, was considered by section.

Section I, was agreed to.

Section II, being under consideration.

A motion was made by Mr. Hart and Mr. Vance, to amend the section, by striking out the provisions allowing an appeal to the exempts.

Which was agreed to.

On motion of Mr. Hart and Mr. Martin,

The section was further amended, by striking out from the word "aforesaid" in line 85, to, and including the word "resides" in line 90, and from the word "exempts" in line 93, to, and including the word "otherwise" in line 100, so as to correspond with the above amendment.

On motion of Mr. Laird and Mr. Hart,

The section was further amended, by reducing the fine on exempts, to "four dollars"

On motion of Mr. Pennell and Mr. Hart,

The section was further amended, by inserting a penalty of "two hundred dollars" for a neglect on the part of county-treasurers, to account for the monies they may receive under the act, within the time therein prescribed, and substituting the "officers of the department of accounts" for "Comptroller and Register-generals"

Moved by Mr. Vance and Mr. M'Arthur,

That the section be further amended, by striking from lines 111, 112, 113, 114, and 115, the provision "that no person shall be called upon to exercise until he arrives at the age of twenty-one years" and inserting in lieu thereof "that he shall not do a tour of duty until he shall arrive at the age of twenty-one years, but shall be subject to all other rules, orders, &c. of the act."

Which was not agreed to.

The section as amended, was adopted.

Sections III, IV and V, were severally agreed to.

Section VI, being under consideration.

A motion was made by Mr. Wayne and Mr. Martin, to amend the section, by striking out "and an es-pontoon" from line four.

Which was agreed to.

And the section as amended was adopted.

Section VII, was agreed to.

Section VIII, being under consideration.

A motion was made by Mr. Wayne and Mr. Harris, to amend the section, by inserting "and Brigadier-generals" in line 2, (to be appointed by the Governor)

Which was agreed to.

Moved by Mr. Harris and Mr. Brady.

That the section be further amended by keeping the appointment of the Brigade-inspectors, also within the power of the Governor.

Whereupon,

The Yeas and Nays on the amendment, were re-quired by Mr. Hart and Mr. Pennell, and, on the question, being put, the Members voted as follow, to wit:

YEAS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Lattimore,
4. Mr. Mayer,

NAYS.

1. Mr. Hart,
2. Mr. Heister,
3. Mr. Laird,
4. Mr. Martin,
5. Mr. M'Arthur,
6. Mr. Mewhorter,

YEAS.

5. Mr. Miller,
6. Mr. Richards,
7. Mr. Slaymaker,
8. Mr. Wayne.

NAYS.

7. Mr. Pennell,
8. Mr. Rahm,
9. Mr. Spangler,
10. Mr. Vance,
11. Mr. Lane, *Speaker.*

Eight Yeas and eleven Nays, by which it appeared the question was determined in the negative.

The section was adopted.

Section IX and X, were severally adopted.

Section XI, being under consideration.

After debate,



Was postponed for the present.

Section XII, being under consideration.

A motion was made by Mr. Harris and Mr. Wayne, to conform this section, with respect to the appointments of the Brigadier-generals, to section VIII.

Whereupon,

The Yeas and Nays on agreeing, thereto, were required by Mr. Pennell and Mr. Hart, and, on the question, being put, the Members voted as follow, to wit:

YEAS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Lattimore,
4. Mr. Mayer,

NAYS.

1. Mr. Hart,
2. Mr. Heister,
3. Mr. Laird,
4. Mr. Martin,
5. Mr. M'Arthur,

YEAS.

5. Mr. Mewhorter,
6. Mr. Richards,
7. Mr. Wayne.

NAYS.

6. Mr. Pennell,
7. Mr. Rahm,
8. Mr. Vance,
9. Mr. Lane, *Speaker.*

Seven Yeas and nine Nays, by which it appeared that the question was determined in the negative.

The section was adopted.

Section XIII, being under consideration.

After debate,

Was postponed for the present.

Sections XIV, XV, XVI and XVII, were severally adopted.

Section XVIII, being under consideration.

A motion was made by Mr. Hart and Mr. Pennell, to insert in line 6, the following: "nor any justice of the peace or alderman" and in line 9, "or any construction of any clause in this act"

Which was agreed to, and the section as amended adopted.

Section XIX, was adopted, after conforming it to section II, with respect to exempts.

Section XX, being under consideration.

A motion was made by Mr. Pennell and Mr. Martin, to amend the section by inserting in line 54, the following: "and compel the collection of the fines"

Which was agreed to.

On motion of Mr. Hart and Mr. Heister,

The section was further amended by inserting in line 11, next after constable "or fit person who shall thereby be authorized to act as constable" and that a similar amendment be made wherever necessary.

Which was agreed to, and the section as amended adopted.

Sections XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, XXVIII, XXIX, XXX, were severally agreed to.

Section XXXI, containing the articles, being under consideration.

A motion was made by Mr. Wayne and Mr. Pennell, to amend the eighteenth article, by striking out "or some other unavoidable circumstances"

Which was agreed to, and the article and section adopted.

Sections XXXII, XXXIII, XXXIV, XXXV, XXXVI, XXXVII, XXXVIII, were severally agreed to.

Section XXXIX, being under consideration.

A motion was made by Mr. Laird and Mr. Martin, to amend the section, by making the day of regimental appeal "second Monday in December, instead of fourth Monday in November"

Which was agreed to, and the section as amended adopted.

Section XL, being under consideration.

A motion was made by Mr. Hart and Mr. Wayne, to amend the section, by inserting in line 6, the following: "of such arms as the said officers, or a majority of them may think necessary" (repecting the repairs)

Which was agreed to, and the section as amended adopted.

Sections XLI, XLII, were severally adopted.

Section XLIII, being under consideration.

A motion was made by Mr. Wayne and Mr. Pennell, to amend the section by inserting in line 3, "being volunteers"

Which was not agreed to.

Whereupon,

On motion of Mr. Vance and Mr. Pennell,

The further consideration of the section was postponed for the present.

Sections XLIV, XLV, XLVI, were severally agreed to.

Adjourned 'till 9 o'clock, to-morrow morning.

~~~~~  
*Thursday, March 26, 1807.*

The Speaker laid before the Senate the following communication

*"To the Senate of Pennsylvania.*

UNDERSTANDING that a bill has passed the House of Representatives of Pennsylvania, to enable Robert E. Griffith, to sell the real estate of Nicklin and Griffith, in this State we deem it necessary to inform the Senate, that those Gentlemen hold land, late the estate of John Nicholson, upon which the Commonwealth has a lien. We therefore submit to the consideration of the Senate, the propriety of a clause, saving the interests of the State under that lien.

CADWALLADER EVANS, *Junior*,  
JOHN LYON.

*Lancaster, March 26, 1807.*

Whereupon,

On motion and by special order,

The same was again read and referred to Mr. Wayne, Mr. Vance and Mr. Harris, to consider and report thereon.

The bill, entitled "An act to authorize the sale and conveyance of the real estate of Philip Nicklin, by his surviving partner and legal representatives," was read the second time, and referred to the committee before mentioned.

Mr. Brady presented the petition of the subscribers thereto, members of the congregation of the communion of Roman Catholics, who reside in and near the borough of Greensburg, in the county of Westmoreland, praying, that they may be enabled to raise by way of lottery six thousand dollars, for the purpose of building a chapel; and the same was read, and

Laid upon the table.

Mr. Hart presented the petition of the subscribers thereto, inhabitants of Lower Milford township, in the county of Bucks, in opposition to the passage of the bill, now before the Senate, for the erection of a poor-house in that county; and the same was read, and

Laid upon the table.

Mr. Laird from the committee to whom, was yesterday referred, the petition of Jacob Zournes, on leave now given, reported the bill, entitled "An act to raise by way of lottery, a sum not exceeding eight thousand dollars, for the use and relief of Jacob Zournes of Northumberland county, who had the whole of his property recently consumed by fire," which was read the first time.

The bill, entitled "An act to alter and amend the act, entitled "An act to provide for the settlement of the public accounts, and for other purposes therein mentioned," was read the third time.

Whereupon,

The Yeas and Nays on the question, "*Shall this bill pass?*" were required by Mr. Richards and Mr. Pennell, and, on the question, being put, the Members voted as follow, to wit:

YEAS.

1. Mr. Dorsey,
2. Mr. Hart,

YEAS.

3. Mr. Heister,
4. Mr. Laird,

## YEAS.

5. Mr. Martin,
6. Mr. M'Arthur,
7. Mr. Mitchell,
8. Mr. Pennell,

## NAYS.

1. Mr. Harris,
2. Mr. Mayer,
3. Mr. Mewhorter,
4. Mr. Miller,

## YEAS.

9. Mr. Rahm,
10. Mr. Spangler,
11. Mr. Vance,
12. Mr. Lane, *Speaker*.

## NAYS.

5. Mr. Richards,
6. Mr. Slaymaker,
7. Mr. Wayne.

Twelve Yeas and seven Nays, by which it appeared that the question was determined in the affirmative.

Ordered, That the said bill be returned to the House of Representatives, with information that Senate have passed the same with one amendment, in which the concurrence of that House is requested.

The amendments is—

To strike out from the word treasurer, in line 9, section I, and insert in place thereof, as follows: "in such case shall have a concurrent power in said disagreement, and a decision of a majority of said officers shall be final and conclusive"

The bill, entitled "A supplement to an act, entitled "An act making an appropriation for the building of a bridge in Somerset county," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" -being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "A supplement to, and making perpetual the act, entitled "An act for the recovery of debts and demands, not exceeding one hundred dollars, before a justice of the peace, and for the election of constables, and for other purposes," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence of that House is requested.

[For the amendments, see Journal of yesterday.]

The bill, entitled "An act erecting a middle district of the supreme court," was read the third time.

Whereupon,

A motion was made by Mr. Vance and Mr. Wayne, to postpone the further consideration thereof, and to recommend it to the attention of the Senate, at their next session.

Thereupon,

The Yeas and Nays, on the motion, to postpone for the purpose aforesaid, were required by Mr. Brady and Mr. Harris, and, on the question, being put, the Members voted as follow, to wit:

YEAS.

1. Mr. Dorsey,
2. Mr. Hart,
3. Mr. Heister,
4. Mr. Martin,
5. Mr. Pennell,

YEAS.

6. Mr. Rahm,
7. Mr. Slaymaker,
8. Mr. Vance,
9. Mr. Wayne.

NAYS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Laird,
4. Mr. Mayer,
5. Mr. M'Arthur,
6. Mr. Mewhorter,

NAYS.

7. Mr. Miller,
8. Mr. Mitchell,
9. Mr. Richards,
10. Mr. Spangler,
11. Mr. Lane, *Speaker*.

Nine Yeas and eleven Nays, by which it appeared that the question was determined in the negative.

Thereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The amendments by the House of Representatives, on the bill, entitled "An act to authorize the Gover-

nor of this Commonwealth, to incorporate a company for making an artificial road from the Philadelphia and Lancaster turnpike road, in Lancaster county, at or near the Gap-tavern, and to extend thence the nearest and best practicable course by Cochran's, Chatham and Chandler's taverns, to the line of the State of Delaware, so as to communicate with a contemplated artificial road to extend thence the nearest and best practicable course to Newport on Christiana creek, in the State of Delaware, to be authorized by a law of that State," read yesterday, were again read, considered and concurred in.

Ordered, That the Clerk acquaint the House of Representatives thereof.

The amendments by the House of Representatives, on the bill, entitled "An act for the relief of Archibald M'Fall," read yesterday, were again read, considered and concurred in.

Ordered, That the Clerk acquaint the House of Representatives thereof.

The bill, entitled "A further supplement to the penal laws of this State," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Dorsey in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with amendments, which were read as reported.

The bill, entitled "An act to raise by way of lottery, a sum of money, to defray the expences incurred by the trustees of the Lutheran congregation, in and near the village of Strasburg, in the county of Lancaster," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act regulating the appointment of circuit courts, and for other purposes," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Hart in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with amendments, which were read as reported.

Thereupon,

On motion and by special order,

The said bill as reported by committee of the whole, was considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

Agreeably to order, the Senate resumed in committee of the whole, (Mr. Miller in the Chair) the consideration of the "Address to Thomas Jefferson," and

After some time,

The committee rose, and reported the same amended.

Whereupon,

On motion and by special order,

The said address as reported by committee of the whole, was considered and adopted as follows, to wit :

*To THOMAS JEFFERSON, President of the  
United States.*

SIR,

THE high character of the government of the United States, acquired by the wisdom and justice of its administration, has, under providence preserved and promoted the blessings of peace and prosperity to our country, whilst the powers of Europe have been engaged in wars and revolutions, that have changed all the former relations, among civilized nations. Our exemption from the general calamity, affords a practical demonstration, that a free representative republic, contrary to former opinion, is equal to all the concerns of an extensive empire, and when wisely administered will, whilst it commands respect from foreign nations inspire its citizens with confidence in their own form of government. Impressed with the importance of con-



thaving measures, that have produced these blessings, the Legislature of Pennsylvania, participate in the general anxiety, expressed by their Sister-States, upon your having signified, as is believed, your intention of retiring to private life at the expiration of the Constitutional term of your election. Although suitable characters may not be wanting to fill the Presidential Chair, yet there are times, which imperiously call for talents and integrity, that have been long tried and long approved: To this principle the illustrious Washington more than once yielded, and in return he received the plaudits of a grateful people. And we cannot but indulge the hope that a principle so purely republican, whatever may be the sacrifices it requires will lead you in like manner, to comply with the earnest wishes of a rising nation, so cordially expressed, that you will allow your name to be used at the next Presidential Election, and thereby afford another opportunity of evincing to mankind, the highly important truth, that gratitude is a republican virtue.

Ordered, That the said address be returned to the House of Representatives, with information that Senate have passed the same with amendments, in which the concurrence of that House is requested.

On motion of Mr. Laird and Mr. Martin,  
The following resolution was twice read, considered and adopted.

Resolved, That a committee be appointed to enquire into the propriety of instructing the Senators, and requesting the Representatives from this State in the Congress of the United States, to use their endeavours to procure a law establishing weights and measures.

Ordered, That Mr. Laird, Mr. Dorsey and Mr. M'Arthur, be the committee for that purpose.

On motion of Mr. Hart and Mr. M'Arthur,  
The following resolution was twice read, considered and adopted, to wit:

Resolved, That the Speaker draw his warrant on the State-treasurer, in favor of George Bryan, Clerk

of the Senate, for five hundred dollars, on account of preparing and furnishing indexes for the Journals of Senate, he to account therefor.

Whereupon,

A warrant was accordingly so drawn.

The bill, entitled "An act to provide for the erection of a house for the employment and support of the poor, in the county of Bucks," was read the second time, and considered by section.

Sections I, to VII, inclusively, were severally adopted.

On motion of Mr. Hart and Mr. Pennell,

The following was introduced between sections VII and VIII, to be called,

"Section VIII. *And be it further enacted by the authority aforesaid,* That as soon any pauper shall be admitted into the house for the support and employment of the poor in the county of Bucks, agreeably to the provisions of this act, all the right or title which such pauper may or shall have to any real or personal property, shall immediately be vested in the directors of the said house of employment for the use of the same."

The remaining sections, with the title being agreed to.

Ordered, That the said bill be prepared for the third reading.

The Clerk of the House of Representatives presented for concurrence, the bills, entitled as follow, to wit:

1. "An act for extending an act, entitled "An act regulating and continuing the distribution of donation lands."

2. "A further supplement to an act, entitled "An act for offering compensation to the Pennsylvania claimants of certain lands in the Seventeen townships, in the county of Luzerne, and for other purposes therein mentioned."

3. "An act for exploring and marking a road from the point where the Coshetton and Greatbend turnpike passes through Moosic Mountain, in a western direction to the west line of the State."

4. "An act to repeal the act, entitled "An act for the inspection of flour, in certain western counties of this State."

5. "An act to authorize John Guier, and Dorothy his wife, and Henry Orth, and Adam Henchman, to lease upon perpetual ground-rent, certain lots therein mentioned."

6. "An act to enable Henry Hawkins, guardian of Maria Becker, to sell certain real estate therein mentioned."

7. "An act for the relief of Edward Chisselden."

Which were read the first time.

The bill, entitled "A supplement to an act, entitled "An act to enable the Governor of this Commonwealth, to incorporate a company, for making an artificial road from Lancaster, through Elizabethtown, to Middletown," was read the second time, and considered by section.

Section I, was adopted.

Section II, being under consideration.

A motion was made by Mr. Mayer and Mr. Mitchell, to amend the section, by striking out from the word "nevertheless" in line 7, to, and including the word "owners" in line 10, and inserting the following in place thereof: "that any damage done to the property of individuals in constructing and erecting said bridge shall be ascertained and compensated in the manner, directed in and by the ninth section, of the act to which this is a supplement."

Which was agreed to, and the section as amended adopted.

The remaining sections, with the title, being agreed to.

Ordered, That the said bill be prepared for the third reading.

The Clerk of the House of Representatives informed that that House have concurred in the amendments by Senate, to the bill, entitled "A supplement to, and making perpetual an act, entitled "An act for the

recovery of debts and demands not exceeding one hundred dollars, before a justice of the peace, and for the election of constables, and for other purposes," except the amendment for striking out from the word "suit" in line 22, section X, to the end of the section, in which they have not concurred.

Whereupon,

Resolved, That Senate do insist upon their said amendment, and that Mr. Pennell, Mr. Wayne and Mr. Brady, be a committee to confer with a committee of the House of Representatives on the subject of the said amendment.

Ordered, That the Clerk acquaint the House of Representatives thereof.

Adjourned till 3 o'clock, P. M.

### *SAME DAY IN THE AFTERNOON.*

The Senate resumed the consideration of the bill, entitled "An act for the regulation of the militia of the Commonwealth of Pennsylvania."

The consideration of section XLIII, recurring.

A motion was made by Mr. Vance and Mr. Martin, to amend the section, by fixing the time of appointment of the examiners of the accounts of each company, on the first Monday in May annually.

Which was agreed to, and the section as amended adopted.

The consideration of section XIII, recurring.

A motion was made by Mr. Laird and Mr. Vance, to transpose the following from line 78, to line 90, "by Lieutenant-Colonel Spalding, number 57"

Which was agreed to, and the section as amended adopted.

The consideration of section XI, recurring.

A motion was made by Mr. Vance and Mr. Dorsey, to amend the section, by making it the duty of the brigade-inspectors, to hold the election of officers on the same day, throughout the State, and that the com-

manding officer of each brigade shall appoint one suitable person in each district to conduct the elections.

Which was agreed to.

On motion of Mr. Pennell, and Mr. Martin.

The section was further amended by making it the duty of the superintendants of elections, to make return of election to the regimental and company-officers.

The section, after some further and verbal amendments having been made therein, was adopted.

Moved by Mr. Pennell and Mr. Hart,

That the Senate re-consider section XLVI, for the purpose of introducing a new section, to be called section XLVI.

*"And be it further enacted by the authority aforesaid,*  
That no officer of any company, paymaster or quartermaster of any regiment, shall be permitted to resign, until it shall appear to the satisfaction of the field-officers of the regiment, that he, or they have duly performed all the duties, required by him or them by law, previously to such intended resignation; nor until he or they shall have delivered up, to the colonel or commanding officer of the regiment, all the public property, in his or their possession, as a militia officer,\* or officers belonging to this Commonwealth. And all regimental and company officers, who shall hereafter be elected or appointed, and duly notified of such election or appointment, agreeably to this act, are hereby authorized, to do and perform all the military duties in this act required. And all fines, which are now due, or hereafter may become due, under the act of the sixth of April, one thousand eight hundred and two, or which may be due under this act, which now are or hereafter may be uncollected, either by neglect of the commanding officers of companies or the constables, shall be collected by a warrant issued by the commanding officer of the regiment, to the constable of the proper township, or some other fit person with the power of constables, in similar cases to be paid over as is directed by this act."

The new section was adopted.

On motion of Mr. Pennell and Mr. Hart.

The following new section was also agreed to.

"Section XLVII, *And be it further enacted by the authority aforesaid*, That the militia of this Commonwealth shall be entitled to exercise on any ground, which is not an inclosure, or which is not in a state of cultivation; but they shall not enter an inclosure, without leave first had of the owner, if they should, and the owner thereof conceives himself injured, then compensation shall be allowed him by the commanding officer of the regiment, battalion or company, if they can agree, if not, then to be left to three disinterested persons, chosen by the parties, one each, and the third by the other two, and the award shall be final, which shall be paid out of the regimental fund, on an order drawn by the commander of the regiment, and that during the time of their march, to or from exercise, or during the performance of their mænouvres, they shall have the right, to keep the ground, upon which they exercise free from persons selling spiritous liquors, horses, tents, booths, or persons, who may be likely, to interrupt the exercise, or to excite riots, disorder or disturbance. And that any person or persons, who may interrupt the exercise, or by riotous, or disorderly conduct excite interruption, if there is no civil authority present, the commanding officer present, may cause such disorderly person or persons to be removed, and if there be great disorder or aggravation, to have such person carried before a magistrate, and if upon evidence it shall appear to such magistrate, that there was great intentional outrage, or wilful interruption given, to that exercise and discipline of the militia, then such person or persons, severally so offending, shall be fined at the discretion of the magistrate in any sum not less than five, nor more than forty dollars, to be paid into the regimental fund, for the use of the regiment."

The consideration of section XLVI, now section XLVIII, recurring, was adopted.

Thereupon,

On motion of Mr. Pennell and Mr. Hart.

The further consideration of the bill, was postponed for the present.

On motion of Mr. Vance and Hart,

The following resolution was twice read, considered and adopted.

Resolved, That a committee be appointed, to join a committee of the House of Representatives, if they should think fit to appoint such committee, to enquire of the commissioners of Lancaster county, or other persons, who may give information, on what terms the Legislature have, and do enjoy the privilege of the Court-house of said county, in which they have for several years, and now hold their sessions, and make report to their respective Houses.

Ordered, That Mr. Vance, Mr. Slaymaker and Mr. Pennell, be the committee for that purpose; and

That the Clerk acquaint the House of Representatives thereof.

Mr. Richards called for the "Resolution relative to the adjournment of the Legislature."

Which being under consideration.

A motion was made by Mr. Hart and Mr. Pennell, to postpone the further consideration thereof, for the present.

Which was agreed to.

The Clerk of the House of Representatives presented for signature, the bills and resolution, entitled as follow, to wit:

1. "A supplement to an act, entitled "An act authorizing the Governor, to incorporate a company for making an artificial road from the bank of the river Susquehanna, opposite the borough of Harrisburg to Pittsburg."

2. "An act making appropriations for improving the road leading from Milesburg, in Centre county, to Waterford, in Erie county."

3. "An act granting George Huber and Michael Zeller, a tract of donation land."

4. "An act to provide for the enumeration of the taxable inhabitants and slaves, within this Commonwealth,"

5. "A further supplement to the act, entitled "An act to provide for the erection of houses for the employment and support of the poor, in the counties of Chester and Lancaster," and "A supplement to the act, entitled "An act to provide for the erection of a house for the employment and support of the poor, in the county of Delaware."

5. "An act to extend the right of peremptory challenge, to case not hitherto provided for."

6. "A supplement to an act, entitled "An act to erect the town of Canonsburg, in the county of Washington, into a borough."

7. "An act to incorporate trustees for the Meadville academy, and to establish the same."

8. "A supplement to an act, entitled "An act making an appropriation for the building of a bridge in Somerset county."

9. "A resolution relative to the publication of laws in newspapers, at the public expence."

Whereupon,

The Speaker signed the said bills and resolution.

Adjourned 'till 9 o'clock, to-morrow morning.

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*Friday, March 27, 1807.*

Mr. M'Arthur presented the petition of the subscribers thereto, inhabitants of the township of Mahoning, in the county of Mercer; praying, that that township may form a separate election district, and for an alteration of the place of holding their elections; and the same was twice read and referred to Mr. M'Arthur, Mr. Mayer and Mr. Slaymaker, to consider and report thereon.

Mr. Wayne from the committee to whom was, yesterday, referred the bill, entitled "An act to authorize



the sale and conveyance of the real estate of Philip Nicklin, by his surviving partner and legal representatives," and the communication from Cadwallader Evans, junior, and John Lyon, on the subject of said bill, reported the bill with one amendment, which was read as reported.

Mr. Harris from the committee appointed on the part of Senate, to confer with a committee of the House of Representatives, on the amendment by Senate, to the bill, entitled "An act authorizing the President of the United States, to open a road through that part of this State, lying between Cumberland, in the State of Maryland, and the Ohio river," reported,

That they have conferred freely, but ineffectually, with the committee appointed on behalf of the House of Representatives, that committee refusing to agree with the committee of Senate, in recommending to the House of Representatives to recede from their non-concurrence of the amendments of Senate; and your committee considering the contemplated road as intended to promote the general interests, and not that of a particular State; it being to be opened and improved at the expence of the general government, and will probably be beneficial to this State, in whatever direction it may be laid out; and as we conceive it the duty of each State cheerfully to acquiesce in any measure which may be advantageous to a Sister-State or to the United States, especially where no sacrifice is to be made: In fine, in whatever light the subject can be viewed, whether as it regards the honor and dignity of a great and respectable State, which ought on all occasions to act superior to trifling motives or considerations, or as it regards its true interests, your committee are of opinion, that in granting permission for the opening this road, it ought not to be confined positively to any particular point or rout: Your committee, therefore, respectfully offer the following resolution:

Resolved, That Senate do insist on their amendment, to the bill, entitled "An act authorizing the President of the United States, to open a road through that part of this State, lying between Cumberland, in the State of Maryland, and the Ohio river."

Mr. Pennell from the committee appointed, yesterday, to confer with a committee of the House of Representatives, on the subject of the disagreement between the Houses, on the bill, entitled "A supplement to, and making perpetual an act, entitled "An act for the recovery of debts and demands, not exceeding one hundred dollars, before a justice of the peace, and for the election of constables, and for other purposes," made report :

That the joint committee have freely conferred, and have respectively agreed to report to the respective Houses, the adoption of the following amendment to the tenth section; that is to say, to strike out all the section following the blank in the fifteenth line, and insert the following: "And if on the return of said warrant or *capias* the defendant shall not appear and enter bail, before the justice, in the nature of special bail, the constable may assign the obligation aforesaid to the plaintiff, if he will accept the same, which obligation may be sued in the name of the plaintiff as assignee of the said constable; but if the bail for the appearance so taken by the constable shall be insufficient the constable shall be liable therefore as sheriff's now are to the plaintiff or plaintiffs named in the warrant or *capias*, notwithstanding such assignment: But if the defendant shall appear, and enter special bail, the justice may proceed to the final determination of the suit according to law, and after judgment such bail shall be proceeded against by *scire facias*, and shall be liable in the same manner as special bail is now liable, in cases in the courts of common pleas, and may surrender the principal to the jail of the proper county within ten days after service of the *scire facias* in discharge of the bail: *And provided also,*

That the bail to the constable may enter sufficient special bail to the suit, or cause to be entered at the return of the warrant or *capias* in discharge of the obligation, where the defendant may neglect or refuse to appear, in which case the justice may proceed in the same manner as if the defendant had appeared."

The bill, entitled "An act to raise by way of lottery a sum of money, to defray the expences incurred by the trustees of the Lutheran congregation, in and near the village of Strasburg, in the county of Lancaster," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act regulating the appointment of circuit courts," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with one amendment, in which the concurrence of that House is requested.

The amendment is—

Section I, after the word "pleas" in line 8, insert "in the same county"

The bill, entitled "An act to provide for the erection of a house for the employment and support of the poor, in the county of Bucks," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence of that House is requested.

Introduce a new section as follows, to wit:

"Section VIII. *And be it further enacted by the authority aforesaid*, That as soon as any pauper shall be admitted into the house for the support and employment of the poor in the county of Bucks, agreeably to the provisions of this act, all the right or title which such pauper may or shall have to any real or personal property, shall immediately be vested in the directors of the said house of employment for the use of the same."

Number the remaining sections accordingly.

The bill, entitled "A supplement to an act, entitled "An act to enable the Governor of this Commonwealth, to incorporate a company, for making an artificial road from Lancaster, through Elizabethtown, to Middletown," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with one amendment, in which the concurrence of that House is requested.

The amendment is—

Section II, strike out the proviso, that directs the consent of the owners of the land, &c. shall be first obtained before the Swatara bridge shall be erected, and insert the following: "That any damage done to the property of individuals, in constructing and erecting said bridge, shall be ascertained and compensated in the manner directed in and by the ninth section of the act of which this is a supplement."

The bill, entitled "A further supplement to the penal laws of this State," as reported by committee of the whole, yesterday, was considered by section.

Sections I, II, III and IV, were severally adopted.

Section V, being under consideration.

A motion was made by Mr. M'Arthur and Mr. Martin, to amend the section, by striking out the provi-

sion which restricts the jailor from selling liquors to other than prisoners.

Which was not agreed to.

The section was adopted.

Sections VI, and VII, were agreed to.

Moved by Mr. Laird and Mr. Martin,

That the following be inserted, and called

"Section VIII. *And be it further enacted by the authority aforesaid,* That the thirty-fifth section of an act, entitled "An act to reform the penal laws of this State," passed the fifth day of April, one thousand seven hundred and ninety, be, and the same is hereby repealed."

The title being agreed to.

Ordered, That the said bill be prepared for the third reading.

The bill, entitled "An act to raise by way of lottery a sum of money, for the purpose of improving the navigation of Penns creek, in Northumberland county," was read the section time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

Mr. Leib, a committee appointed during the indisposition of the Clerks of the House of Representatives, being introduced, presented two several extracts from the Journal of that House, which were read as follow, to wit:

*"In the House of Representatives,*

*March, 27, 1807.*

Resolved, That Mr. Leib and Mr. Biddle, be a committee to present bills and messages from the House of Representatives to the Senate, during the indisposition of the Clerks of this House.

*"In the House of Representatives,*

*March 27, 1807.*

Resolved, That Messrs. Lacock, C. Smith and Jennings, be a committee to confer with a committee of the Senate, (already appointed) on the subject of the amendments by Senate, to the bill, entitled "A sup-

plement to, and making perpetual the act, entitled "An act for the recovery of debts and demands not exceeding one hundred dollars, before a justice of the peace, and for the election of constables, and for other purposes," non-concurred by the House of Representatives and insisted on by Senate.

The bill, entitled "An act to authorize the Governor to subscribe on behalf of this Commonwealth, for shares of stock in certain turnpike companies," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Brady in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill without amendment.

Mr. Leib, a committee of the House of Representatives, being introduced presented for concurrence, the bills entitled as follow, to wit:

1. "An act to alter and amend the several laws of this Commonwealth, relative to domestic attachments."

2. "An act to provide for the erection of a poor-house, for the better relief and employment of the poor, in the townships of Oxford and Lower Dublin, in the county of Philadelphia."

3. "A supplement to an act, entitled "An act to erect Somerset town, in the county of Somerset, into a borough."

4. "An act vesting a title for sixty acres of land, in Mahonoy township, Northumberland county, in certain trustees and their successors, for the benefit of a congregation composed of Presbyterians and Lutherans."

5. "An act to enable Samuel Jackson, of Allegheny county, to sell and convey certain land therein mentioned."

6. "An act authorizing certain persons to sell and convey a tract of land, the property of Westcald township, in the county of Chester."

7. "An act imposing certain penalties upon persons defrauding incorporated turnpike companies of their legal tolls, and also upon gate-keepers for demanding or receiving, in advance, greater tolls than in proportion to the distance travelled."

8. "An act to enable the Governor to incorporate a company, to make an artificial road from the courthouse, in the borough of Gettysburg, through Petersburg, to the Maryland line, near Biddle's mill."

9. "An act for the relief of John Rybecker."

10. "A supplement to the act, entitled "An act for the relief and support of insolvent debtors."

And he informed that the House of Representatives have adopted the report of the joint committee on the subject, of the bill, entitled "A supplement to, and making perpetual the act, entitled "An act for the recovery of debts and demands not exceeding one hundred dollars, before a justice of the peace, and for the election of constables, and for other purposes."

The bills presented for concurrence, were severally read the first time.

The bill, entitled "An act to raise by way of lottery a sum of money, to enable the trustees of the Protestant Episcopal congregation, in the borough of Lancaster, to repair their steeple and house of worship," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act making an appropriation for the improvement of certain roads in the western counties, and authorizing the courts of the respective counties, to appoint fit persons to view and lay out the same," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with one amendment, which was read as reported.

Mr. Leib, a committee from the House of Representatives, being introduced, presented for signature, the bill, entitled "A supplement to, and making perpetual the act, entitled "An act for the recovery of debts and demands not exceeding one hundred dollars, before a justice of the peace, and for the election of constables, and for other purposes."

Whereupon,

The Speaker signed the said bill.

Adjourned till 3 o'clock, P. M.

### *SAME DAY IN THE AFTERNOON.*

The Senate resumed the consideration of the bill, entitled "An act to enable the Governor to incorporate a company, for making an artificial road, by the best and nearest route, from the borough of York, to the Maryland line, at the place the present York-road passes the same, or as near thereto, as the commissioners shall find expedient."

The consideration of section I, recurring.

A motion was made by Mr. Vance and Mr. Hart, (who voted with the majority) to reconsider the question on the amendment, adopted on the twenty-first instant, to wit: the insertion of "Wright's ferry."

Which was agreed to.

Whereupon,

The said amendment being again before the Senate.

The question, on agreeing thereto, being put, was determined in the negative.

The section was adopted.

The remaining sections, with the title, being agreed to.

Ordered, That the said bill be prepared for the third reading.



The Senate resumed the consideration of the bill entitled "An act for the regulation of the militia of the Commonwealth of Pennsylvania."

Whereupon,

A motion was made by Mr. Pennell and Mr. Hart, (who voted with the majority) that Senate re-consider the eight section.

Which was agreed to.

And the said section being again under consideration.

On motion of Mr. Pennell and Mr. Martin,

The Senate resolved itself into committee of the whole, (Mr. Hart in the Chair) for the further consideration of the same; and

After some time,

The committee rose, and reported the section with amendments, which was read as reported; and

Thereupon,

The said section as reported by committee of the whole, was considered and adopted.

On motion of Mr. Pennell and Mr. Mitchell,

The Senate re-considered section II. And the same being again under consideration.

A motion was made by Mr. Pennell and Mr. Hart, to amend the section, by inserting the word "battalions" at the beginning of line 112.

Which was agreed to, and the section as amended adopted.

Moved by Mr. Pennell and Mr. Dorsey, that Senate re-consider section X.

The question, on the motion being put, was determined in the affirmative.

And the said section being again under consideration.

A motion was made by Mr. Pennell and Mr. Dorsey, to amend the section, by inserting the following in line 11, "for which blank rolls he shall be allowed yearly in full compensation, ten dollars for each regiment in his brigade."

Which was agreed to, and the section as amended adopted.

On motion of Mr. Vance and Mr. Martin, Agreed, That Senate re-consider section XI.

And the said section being again under consideration.

A motion was made by Mr. Vance and Mr. Martin, to amend the section by adding the following, to the amendment heretofore, made in line 15, (superintending elections) "for performing which service he shall receive one dollar and fifty cents, per day, to be paid out of the regimental fund, and on failing to attend as aforesaid, he shall forfeit and pay the sum of ten dollars, to be recovered by warrant, issued by the commander of the regiment, directed to any constable, or other fit person, which fine so recovered, shall be paid into the regimental fund"

Which was agreed to, and the section as amended adopted.

On motion of Mr. Pennell and Mr. Wayne.

Agreed, That section XLVIII, be also re-considered and

The same being again under consideration.

A motion was made by Mr. Pennell and Mr. Wayne, to amend the section, by inserting in line 8, the following "And an act making compensation, to brigade-inspectors for furnishing blank forms, passed second April, one thousand eight hundred and four, (respecting the repeal of certain laws.)"

Which was agreed to, and the section as amended adopted.

The title being agreed to.

Ordered, That the said bill be prepared for the third reading.

Mr. Leib, a committee of the House of Representatives, being introduced, presented two several extracts from the Journal of that House, which were read as follow, to wit:

*"In the House of Representatives,*

*March 25, 1807.*

The amendment by Senate, to the bill, entitled "An act to raise by way of lottery, a sum of money to defray the expences, incurred by the trustees of the German Lutheran congregation, in and near the borough of Lancaster," was read a second time; and

On the question, "*Will this House concur the said amendment?*" it was determined in the negative, and

Ordered, that the Senate be informed thereof.

*"In the House of Representatives,*

*March, 27, 1807.*

On motion of Mr. Binney and Mr. Lacock,

The House proceeded to the second reading of the report, submitted this morning, by a committee of conference on the subject of an amendment by Senate, to the bill, entitled "An act authorizing the President of the United States, to open a road through that part of this State, lying between Cumberland, in the State of Maryland, and the Ohio river," as follows :

"That their conference, with the committee from the Senate, has not enabled them, to agree upon the terms of any report, to be submitted to both Houses. This committee have therefore thought proper, to confine themselves to a recommendation, that this House adhere to its non-concurrence of the amendment above referred to."

And the said report was considered and adopted."

On motion and by special order,

The report of the committee on behalf of Senate, on the subject of disagreement between the two Houses, respecting the United States road, from Cumberland to Ohio," was again read, and the resolution thereto,

Being under consideration.

A motion was made by Mr. Harris and Mr. M'Arthur, to amend the same by striking out the word "insist" and inserting in lieu thereof the words "adhere to,"

Which was agreed to.

Whereupon,

The Yeas and Nays on adopting the same, were required by Mr. Pennell and Mr. Hart, and, on the question, being put, the Members voted as follow, to wit:

YEAS.

1. Mr. Dorsey,
2. Mr. Harris,
3. Mr. Hart,
4. Mr. Heister,
5. Mr. Laird,
6. Mr. Mayer,

YEAS.

7. Mr. M'Arthur,
8. Mr. Pennell,
9. Mr. Richards,
10. Mr. Spangler,
11. Mr. Lane, *Speaker*.

NAYS.

1. Mr. Brady,
2. Mr. Martin,
3. Mr. Mewhorter,
4. Mr. Miller,
5. Mr. Mitchell,

NAYS.

6. Mr. Rahm,
7. Mr. Slaymaker,
8. Mr. Vance,
9. Mr. Wayne.

Eleven Yeas and nine Nays, by which it appeared that the question was determined in the affirmative.

Ordered, That the Clerk acquaint the House of Representatives thereof.

Moved by Mr. Brady and Mr. Harris.

That Senate proceed to the consideration of the resolution from the House of Representatives relative to the adjournment.

The question on the motion, being put, was determined in the negative.

Moved by Mr. Pennell and Mr. Vance,

Resolved, That the Clerk of the Senate, insert at the end of the Journal of this session, the titles of all petitions, reports, bills and resolutions, that have been or may be acted upon and left unfinished together with the titles of all petitions, reports, bills and resolutions, that have been or may be postponed and recommended to the special attention of the next Legislature.

Ordered, to lie upon the table.

On motion of Mr. Wayne and Mr. Brady.

The committee of the whole was discharged from the further consideration of the bill, entitled "An act for the more speedy administration of justice."

Whereupon,

The consideration of the said bill recurring.

A motion was made by Mr. Vance and Mr. Wayne, to postpone the further consideration of the said bill generally.

Which was agreed to.

On motion of Mr. Miller and Mr. Rahm,

Agreed, That the committee of the whole, be discharged from the further consideration of the bill, entitled "An act to authorize and empower Priscilla Dill, widow of Thomas Dill, deceased, William Wireman, senior, and William Wireman, junior, guardians of the minor children of Thomas Dill, and administrators of Caleb Dill, deceased, to sell and convey two several tracts of land, in Manahan township, in the county of York."

Whereupon,

The consideration of the said bill recurring.

A motion was made by Mr. Miller and Mr. Brady, to postpone the further consideration thereof, generally.

Which was agreed to.

On motion of Mr. Dorsey and Mr. Wayne,

The Senate resumed the consideration of the bill, entitled "An act for the relief of the heirs of the estate of Joseph Stiles," postponed for the present, on the twenty-third instant.

The consideration of section I, recurring.

The Yeas and Nays on adopting the same, were required by Mr. Hart and Mr. Pennell, and, on the question, being put, the Members voted as follow, to wit:

**YEAS.**

1. Mr. Brady,
2. Mr. Dorsey,
3. Mr. Laird,
4. Mr. Mayer,

**YEAS.**

5. Mr. Richards,
6. Mr. Slaymaker,
7. Mr. Wayne.

# NAYS.

1. Mr. Harris,
2. Mr. Hart,
3. Mr. M'Arthur,
4. Mr. Miller,
5. Mr. Mitchell,
6. Mr. Pennell,

# NAYS.

7. Mr. Heister,
8. Mr. Martin,
9. Mr. Rahm,
10. Mr. Spangler,
11. Mr. Vance,
12. Mr. Lane, *Speaker.*

Seven Yeas and twelve Nays, by which it appeared that the question was determined in the negative, and so the bill was lost.

Mr. Hart from the committee appointed for that purpose, reported :

That the committee in conjunction with the committee of the House of Representatives, have, this day, presented to the Governor, for his approbation, the bills and resolution, entitled as follow, to wit :

1. "A supplement to an act, entitled "An act authorizing the Governor, to incorporate a company for making an artificial road from the bank of the river Susquehanna, opposite the borough of Harrisburg to Pittsburg."

2. "A supplement to an act, entitled "An act to erect the town of Canonsburg, in the county of Washington, into a borough."

3. "An act to extend the right of peremptory challenge, to case not hitherto provided for."

4. "An act to provide for the enumeration of the taxable inhabitants and slaves, within this Commonwealth."

5. "An act granting George Huber and Michael Zeller, a tract of donation land."

6. "An act making appropriations for improving the road leading from Milesburg, in Centre county, to Waterford, in Erie county."

7. "A further supplement to the act, entitled "An act to provide for the erection of houses for the employment and support of the poor, in the counties of Chester and Lancaster," and "A supplement to the act,

entitled "An act to provide for the erection of a house for the employment and support of the poor, in the county of Delaware."

8. "An act to incorporate trustees for the Meadville academy, and to establish the same."

9. "A supplement to an act, entitled "An act making an appropriation for the building of a bridge in Somerset county."

10. "A supplement to, and making perpetual an act, entitled "An act for the recovery of debts and demands not exceeding one hundred dollars, before a justice of the peace, and for the election of constables, and for other purposes."

11. "A resolution prohibiting the laws to be published in the newspapers, except those pointed out by law."

Adjourned till 9 o'clock, to-morrow morning.

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## Saturday, March 28, 1807.

The bill, entitled "An act for the regulation of the militia of the Commonwealth of Pennsylvania," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence of that House is requested.

The amendments (except a few verbal) are all entered in the Journal of Thursday and Friday.

The Clerk of the House of Representatives presented for concurrence, the bills, entitled as follow, to wit:

1. "An act to annul the marriage of James Isaac Thomas Marshall, and Martha Marshall."

2. "An act to enforce the collection and settlement of tavern licences, and militia exempt fines, and for other purposes."

3. "An act to enable John Edgar and John Galloway, to convey certain town lots in the town of Mountpleasant."

4. "An act extending the power of justices of the peace and aldermen in certain cases."

5. "An act to enable David Mahan, John Simpson and others, to restore a stream of water in the neighbourhood of Shippensburg, in the county of Cumberland, to its ancient course, and for other purposes therein mentioned."

6. An act appropriating a sum of money, for laying out and opening a State road from Logans Narrows, in the county of Huntingdon, to the State road leading to Presqu'isle."

7. An act to authorize the Secretary of the Land-office, to sign patents for land and land warrants."

8. "Resolution for the distribution of the Legislative Journals in the English language."

Which were severally read the first time.

The bill, entitled "A further supplement to the penal laws of this State," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence of that House is requested.

The amendment are—

Section V, line 3, after "liquors" insert "or shall suffer any spiritous liquors under any pretence whatever, except in cases of sickness, to be given to any of the said prisoners"

Make section VI, read thus, "*And be it further enacted, &c.* That if any jailor shall be convicted of having by his negligence, suffered any prisoner com-



mitted to his custody to escape, he shall forfeit and pay for every such offence a sum not exceeding three hundred dollars."

Add after section VII, a new section, as follows, to wit:

"Section VIII. *And be it further enacted, &c.* That the thirty-fifth section of an act, entitled "An act to reform the penal laws of this State," passed the fifth day of April, one thousand seven hundred and ninety, be, and the same is hereby repealed."

The bill, entitled "An act to raise by way of lottery a sum of money, for the purpose of improving the navigation of Penns creek, in Northumberland county," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act to raise by way of lottery a sum of money, to enable the trustees of the Episcopal church, in the borough of Lancaster, to repair their steeple and church," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act to enable the Governor to incorporate a company, for making an artificial road, by the best and nearest route, from the borough of York, to the Maryland line, at the place the present York-road passes the same, or as near thereto, as the commissioners shall find expedient," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

On leave given, Mr. Vance read a bill in his place, and by permission, he presented the same to the Chair, entitled "An act making appropriations for certain roads therein mentioned," which was read the first time.

On leave given, Mr. Hart read a bill in his place, and by permission, presented the same to the Chair, entitled "An act to repeal in part an act, entitled "An act for the sale of unappropriated islands in the rivers Ohio, Allegheny and Delaware," which was read the first time.

The bill, entitled "An act to authorize the Governor to subscribe on behalf of this Commonwealth, for shares of stock in certain turnpike companies," as reported by committee of the whole, yesterday, was considered by section.

Section I, being under consideration.

A motion was made by Mr. Mayer and Mr. Slaymaker, to amend the section, by inserting the following, to wit:

"And of the Downingstown, Ephrata and Harrisburg turnpike road, fifty shares"

"And of the Lancaster, Elizabeth and Middletown turnpike road, thirty shares"

Moved by Mr. Hart and Mr. Mayer,

To amend the motion, by adding thereto, the following:

"And of the Bustleton and Smithfield turnpike road, fifty shares."

Which was agreed to.

Thereupon,

The question, on adopting the motion, as amended, being put, was determined in the negative.

Whereupon,

After debate,

The Yeas and Nays, on agreeing to the section, were required by Mr. Vance and Mr. Hart, and, on the question, being put, the Members voted as follow, to wit:

| YEAS.            |  | YEAS.                         |  |
|------------------|--|-------------------------------|--|
| 1. Mr. Brady,    |  | 5. Mr. Richards,              |  |
| 2. Mr. Dorsey,   |  | 6. Mr. Slaymaker,             |  |
| 3. Mr. Mayer,    |  | 7. Mr. Sommer,                |  |
| 4. Mr. Miller,   |  | 8. Mr. Wayne.                 |  |
| NAYS.            |  | NAYS.                         |  |
| 1. Mr. Harris,   |  | 8. Mr. Mitchell,              |  |
| 2. Mr. Hart,     |  | 9. Mr. Pennell,               |  |
| 3. Mr. Heister,  |  | 10. Mr. Rahm,                 |  |
| 4. Mr. Laird,    |  | 11. Mr. Spangler,             |  |
| 5. Mr. Martin,   |  | 12. Mr. Vance,                |  |
| 6. Mr. McArthur, |  | 13. Mr. Lane, <i>Speaker.</i> |  |
| 7. Mr. Mowhorte, |  |                               |  |

Eight Yeas and thirteen Nays, by which it appeared that the question was determined in the negative, and so the bill was lost.

Adjourned till 3 o'clock, P. M.

### *SAME DAY IN THE AFTERNOON.*

The bill, entitled "An act to enable Edward Tilghman, junior, in behalf of his wife Rebecca Tilghman, and the guardians of Ann Wain, Rebecca Wharton and Susan Wharton, minors, to make partition of certain lands, belonging to them and others as tenants in common," was read the second time, considered and agreed to.

(With some verbal amendments.)

Ordered, That it be prepared for the third reading.

The bill, entitled "A supplement to an act, entitled "An act directing the mode of selecting and returning jurors," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "A supplement to an act, entitled "An act to raise and collect county rates and levies," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Hart in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill without amendment.

The bill, entitled "An act for the punishment of offences, committed on the Susquehanna and other navigable streams, declared highways," was read the second time, and considered by section.

Section I, being under consideration.

The question, on agreeing thereto, being put, was determined in the negative, and so the bill was lost.

The bill, entitled "A supplement to the act, entitled "An act to erect parts of Lycoming, Huntingdon and Somerset counties, into separate county districts," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act to enable Henry Hawkins, guardian of Maria Becker, to sell certain real estate, belonging to the said Maria," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act allowing the Philadelphia bank, to establish branches," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Laird in the Chair) for the further consideration thereof; and

After some time,

The committee rose, reported progress, and had leave to sit again on Monday next.

On motion of Mr. Pennell and Mr. Vance.

The Senate resumed in committee of the whole, (Mr. Richards in the Chair) the consideration of the bill, entitled "An act authorizing the President of the United States, to open and lay out a road through that part of this State, lying between Cumberland, in the State of Maryland, and the Ohio river," and

**After some time,**

The committee rose, and reported the bill with amendments, which were read as reported.

**Whereupon,**

On motion and by special order,

The said bill was considered by section and agreed to.

**Ordered, That it be prepared for the third reading.**

On motion and by special order,

The bill (read by Mr. Vance, this day) entitled "An act making appropriations for certain roads, therein mentioned," was read the second time, and considered by section.

**Sections I and II, were severally adopted.**

Moved by Mr. Richards and Mr. Heister,

That the following be added, and called section HI,  
to wit :

“Section III. *And be it further enacted by the authority aforesaid,* That dollars be, and the same are, hereby appropriated out of the money from the estate of John Nicholson, deceased, for improving the navigation of the river Schuylkill from the falls thereof, to the mouth of Little Schuylkill, and that Peter Richards, Joseph Heister and Robert Kennedy, be, and they are hereby appointed commissioners, to contract for and superintend the improvements aforesaid, and when the said money shall have been expended, they shall make report of their proceedings, to the courts of common pleas, for the counties of Montgomery and Berks, and the court of Montgomery, shall appoint two viewers and the court of Berks shall appoint one, who shall unite and examine whether

the said money has been properly expended, and if in their opinion the same has been illegally disposed of, the said courts shall direct suits to be instituted for the recovery of so much as has been improperly expended. And the said commissioners or either of them, shall not be concerned, either directly or indirectly in their private capacity in any contract made under this section."

Which being under consideration.

A motion was made by Mr. Richards and Mr. Heister, to fill the blank with "seven thousand"

Moved by Mr. Pennell and Mr. Wayne, That it be filled with "ten thousand"

Whereupon,

The question, on the last motion, being put, was determined in the affirmative.

Thereupon,

The Yeas and Nays on adopting the section, were required by Mr. Wayne and Mr. Pennell, and, on the question, being put, the Members voted as follow, to wit:

YEAS.

1. Mr. Brady,
2. Mr. Dorsey,
3. Mr. Harris,
4. Mr. Hart,
5. Mr. Heister,
6. Mr. Lattimore,

NAYS.

1. Mr. Laird,
2. Mr. Martin,
3. Mr. Mewhorter,
4. Mr. Mitchell,

YEAS.

7. Mr. McArthur,
8. Mr. Miller,
9. Mr. Pennell,
10. Mr. Rahm,
11. Mr. Richards,
12. Mr. Wayne.

NAYS.

5. Mr. Slaymaker,
6. Mr. Spangler,
7. Mr. Vance,
8. Mr. Larte, *Speaker*.

Twelve Yeas and eight Nays, by which it appeared that the question was determined in the affirmative.

The title being amended, so as to conform to the foregoing amendment, and agreed to.

Ordered, That the said bill be prepared for the third reading.

The bill, entitled "An act for exploring and marking a road from the point where the Coshecton and Greatbend turnpike passes through Moosic mountain, in a western direction to the west line of the State," was read the second time, and considered by section.

Section I, was agreed to.

Section II, being under consideration.

A motion was made by Mr. Pennell and Mr. Heister, to strike out "two thousand dollars" (the sum appropriated for the purposes of the bill) and insert "one thousand dollars"

Which was not agreed to.

The section was adopted.

The remaining sections, with the title, being agreed to.

Ordered, That the said bill be prepared for the third reading.

Adjourned till 9 o'clock, Monday morning.

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### *Monday, March 30, 1807.*

Mr. Pennell from the committee to whom was referred, on the twenty-third January last, the petition of the subscribers thereto, inhabitants of the Northern-Liberties, praying, that the said Liberties may be divided for election purposes; and on the twenty-first instant, the remonstrance of the subscribers, also inhabitants of the Northern-Liberties, made report as follows, to wit:

That the committee have given the subject a due investigation, and are of opinion, that it would be inexpedient to grant the prayer of the petitioners; they therefore offer the following resolution:

Resolved, That the petitioners have leave to withdraw their petition.

The bill, entitled "An act to enable Edward Tilghman, junior, in behalf of his wife Rebecca Tilghman,

and the guardians of Ann Wain, Rebecca Wharton and Susan Wharton, minors, to make partition of certain lands, belonging to them, and others as tenants in common," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence of that House is requested.

(The amendments are merely verbal.)

The bill, entitled "A supplement to an act, entitled "An act directing the mode of selecting and returning jurors," was read the third time.

Whereupon,

On motion of Mr. Brady and Mr. Harris,

And by unanimous consent, the following was added to the sixth section, viz.

"*Provided*, That the fifth section of this act, shall go into operation, at the first drawing of jurors, after the last day of May next;" and

Thereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with one amendment, in which the concurrence of the House of Representatives is requested.

The amendment is as above.

The Clerk of the House of Representatives, presented an extract from the Journal of that House, which was read as follows, to wit:

*"In the House of Representatives,*

*March 28, 1807.*

Resolved, That it is inexpedient to appoint a committee, to join with the committee of the Senate, to enquire of the commissioners of Lancaster county, the terms upon which the State-house is held by the



Legislature as it has already been expressly stipulated by the commissioners, on behalf of the county of Lancaster (which stipulation is entered on the records of this House) that no compensation should be demanded for the use of public buildings, occupied by the Legislature and Secretary of the Commonwealth, and the county of Lancaster cannot, nor has any disposition been shewn by it, to impair the said engagements, or to demand any compensation from the Commonwealth for the use of such public buildings.

Resolved, That the above resolution be transmitted to the Senate."

The bill, entitled "An act to enable Henry Hawkins, guardian of Maria Becker, to sell certain real estate, belonging to the said Maria," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act authorizing the President of the United States, to open a road through that part of this State, lying between Cumberland, in the State of Maryland, and the Ohio river," was read the third time.

Whereupon,

On motion of Mr. Pennell and Mr. M'Arthur,

The further consideration of the bill was postponed for the present.

The bill, entitled "An act for exploring and marking a road from the point where the Coshecton and Greatbend turnpike passes through Moosic mountain, in a western direction to the west line of the State," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the same without amendment.

The bill, entitled "A supplement to an act, entitled "An act to erect parts of Lycoming, Huntingdon and Somerset counties, into separate county districts," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act making appropriations for certain roads therein mentioned, and also for improving the navigation of the river Schuylkill," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "A further supplement to an act, entitled "An act to raise and collect county rates and livies," as reported by committee of the whole, on the twenty-eighth instant, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act supplementary to the several acts of this Commonwealth, concerning partitions, and for other purposes therein mentioned," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Richards in the Chair) for the further consideration thereof; and

After some time spent therein,

The committee rose, and reported the bill without amendment.

Whereupon,

On motion and by special order,

The said bill was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The Clerk of the House of Representatives presented for concurrence, the bills entitled as follow, to wit:

1. "An act vacating a part of the Old York road, and authorizing the court of quarter sessions of Montgomery county, to direct a new road, to be laid out in place thereof."

2. "An act for the relief of William M'Cormack."

3. "An act granting a sum of money to the trustees of the Union academy, of Doylestown, in the county of Bucks, for the use of said academy."

4. "An act enjoining certain duties, on the judges of the supreme court."

And he returned the bill, entitled "An act granting to Jacob Bottimore, a tract of donation land," and informed that the House of Representatives, have passed the said bill with one amendment, in which the concurrence of Senate is requested.

He also informed that the House of Representatives, have concurred the amendments by Senate, to the bills, entitled as follow:

1. "A supplement to an act, entitled "An act to enable the Governor of this Commonwealth, to incorporate a company, for making an artificial road from Lancaster, through Elizabethtown, to Middletown."

2. "A further supplement to the penal laws of this State."

The bills presented for concurrence, were severally read the first time.

The amendment by the House of Representatives, to the bill, entitled "An act granting to Jacob Bottimore, a tract of donation land," was read as follows, to wit:

Preamble, line 7, between the words "he is" introduce the words, "was honorably discharge from the service and"

Whereupon, on motion,

The said amendment was again read, considered and adopted.

Ordered, That the Clerk acquaint the House of Representatives thereof.

The bill, entitled "An act to raise by way of lottery, a sum not exceeding eight thousand dollars, for the use and relief of Jacob Zournes, of Northumberland county, who had the whole of his property recently consumed by fire," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act for the removal of the seat of government," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Wayne in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with amendments, which were read as reported.

The bill, entitled "An act authorizing the court of quarter sessions of Butler county, to direct a review of that part of the State road, leading from Blairs-gap to the western boundary of the State, which lies between the twenty-fourth and twenty-seventh mile trees," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

Agreeably to order, the Senate resumed in committee of the whole, (Mr. Laird in the Chair) the consideration of the bill, entitled "An act allowing the Philadelphia bank to establish branches," and

After some time,

The committee rose, and reported the bill with amendments, which were read as reported.

Whereupon,

On motion and by special order,

The said bill as reported by committee of the whole, was considered by section.

The first and only section being under consideration.

A motion was made by Mr. Rahm and Mr. Heisters, to amend the section, by inserting "Harrisburg and Reading."

Which was not agreed to.

On motion of Mr. Vance and Mr. Spangler, Agreed, That "Brownsville" be stricken out.

Moved by Mr. Wayne, and Mr. Mitchell, and Agreed, That the section be further amended, by inserting the following "excepting the boroughs of Lancaster and Pittsburg"

Whereupon,

On motion of Mr. Vance and Mr. Hart, Agreed, That the further consideration of said bill be postponed for the present.

The "Resolution for the distribution of the Journals of the General Assembly in the English language," was read the second time, and referred to Mr. Ponnell, Mr. Brady and Mr. Vance, to consider and report thereon.

On leave given, Mr. Hart read a bill in his place, and by permission, presented the same to the Chair, entitled "A further supplement to an act, entitled "An act to raise and collect county rates and levies," which was read the first time.

The bill, entitled "An act authorizing the Secretary of the Land-office, to sign patents for land and land warrants," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

Whereupon,

On motion and by unanimous consent,

The said bill was read the third time, and on the question, "*Shall this bill pass?*" being put, was determined in the affirmative.

# NAYS.

1. Mr. Brady,
2. Mr. Dorsey,
3. Mr. Harris,
4. Mr. Laird,
5. Mr. Miller,

# NAYS.

6. Mr. Rahm,
7. Mr. Richards,
8. Mr. Slaymaker,
9. Mr. Sommer,
10. Mr. Wayne.

Ten Yeas and ten Nays, by which it appeared that the question was determined in the negative.

Whereupon,

A motion was made by Mr. Vance and Mr. M'Arthur, to postpone the further consideration of the said bill, and recommend it to the attention of the Senate, at the next session of the Legislature.

On which motion, Mr. Pennell and Mr. Hart, required the Yeas and Nays, and, on the question, being put; the Members voted as follow, to wit.

# YEAS.

1. Mr. Hart,
2. Mr. Heister,
3. Mr. Lattimore,
4. Mr. Martin,
5. Mr. Mayer,
6. Mr. M'Arthur,

# YEAS.

7. Mr. Mitchell,
8. Mr. Pennell,
9. Mr. Spangler,
10. Mr. Vance,
11. Mr. Lane, *Speaker*.

# NAYS.

1. Mr. Brady,
2. Mr. Dorsey,
3. Mr. Harris,
4. Mr. Laird,
5. Mr. Miller,

# NAYS.

6. Mr. Rahm,
7. Mr. Richards,
8. Mr. Slaymaker,
9. Mr. Sommer,
10. Mr. Wayne.

Eleven Yeas and ten Nays, by which it appeared that the question was determined in the affirmative.

The Clerk of the House of Representatives informed Senate, that that House have concurred in the amendments by Senate, to the bills, entitled "An act to enable Edward Tilghman, junior, in behalf of his wife Rebecca Tilghman, and the guardians of Ann Waln, Rebecca Wharton and Susan Wharton, minors, to make partition of certain lands, belonging to them and others, as tenants in common," and "A supplement to an

the bill, entitled "An act to authorize the Governor to subscribe on behalf of this Commonwealth, for shares of stock in certain turnpike roads."

Whereupon,

The Yeas and Nays on the motion to re-consider, were required by Mr. Vance and Mr. Wayne, and, on the question, being put, the Members voted as follow, to wit:

## YEAS.

1. Mr. Brady,
2. Mr. Dorsey,
3. Mr. Harris,
4. Mr. Laird,
5. Mr. Miller,

## NAYS.

1. Mr. Hart,
2. Mr. Heister,
3. Mr. Martin,
4. Mr. Mayer,
5. Mr. M'Arthur,

## YEAS.

6. Mr. Rahm,
7. Mr. Richards,
8. Mr. Slaymaker,
9. Mr. Sommer,
10. Mr. Wayne.

## NAYS.

6. Mr. Pennell,
7. Mr. Spangler,
8. Mr. Vance,
9. Mr. Lane, *Speaker*.

Ten Yeas and nine Nays, by which it appeared that the question was determined in the affirmative.

Thereupon,

The said bill being again under consideration, and the consideration of section I, recurring.

A motion was made by Mr. Hart and Mr. M'Arthur, to postpone the further consideration of the said bill, for the present.

On which motion, the Yeas and Nays were required by Mr. M'Arthur and Mr. Hart, and, on the question, being put, the Members voted as follow, to wit:

## YEAS.

1. Mr. Hart,
2. Mr. Heister,
3. Mr. Martin,
4. Mr. Mayer,
5. Mr. M'Arthur,

## YEAS.

6. Mr. Mitchell,
7. Mr. Pennell,
8. Mr. Spangler,
9. Mr. Vance,
10. Mr. Lane, *Speaker*.

Twelve Yeas and nine Nays, by which it appeared that the question was determined in the affirmative; and the said resolution, to wit:

"Resolved, That the Legislature do adjourn on Friday, the third April next."

Being again under consideration;

A motion was made by Mr. Brady and Mr. Wayne, to amend the resolution, by striking out "Friday the third" and inserting "Monday the sixth" in lieu thereof.

A division of the question, was called for.

Whereupon,

The question, on striking, being put, was determined in the affirmative; and

Thereupon, it was

Moved by Mr. Pennell and Mr. Vance,

That the further consideration of the resolution be postponed for the present.

On which motion, Mr. Brady and Mr. Pennell, required the Yeas and Nays, and, on the question, being put, the Members voted as follow, to wit:

YEAS.

1. Mr. Dorsey,
2. Mr. Hart,
3. Mr. Laird,
4. Mr. Martin,
5. Mr. McArthur,
6. Mr. Mitchell,

YEAS.

7. Mr. Pennell,
8. Mr. Rahm,
9. Mr. Spangler,
10. Mr. Vance,
11. Mr. Lane, *Speaker.*

NAYS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Heister,
4. Mr. Lattimore,
5. Mr. Mayer,

NAYS.

6. Mr. Miller,
7. Mr. Richards,
8. Mr. Slaymaker,
9. Mr. Sommer,
10. Mr. Wayne.

Eleven Yeas and ten Nays, by which it appeared that the question was determined in the affirmative.

The bill, entitled "An act for extending an act, entitled "An act regulating and continuing the distribution of donation lands," was read the second time.



Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Brady in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with one amendment, which was read as reported.

Whereupon,

On motion and by special order,

The said bill as reported by committee of the whole, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

Adjourned till 3 o'clock, P. M.

### *SAME DAY IN THE AFTERNOON.*

The bill, entitled "An act for the relief of Edward Chisselden," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act for the relief of John Rybecker," was read the second time, considered and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act for the relief of John Steele," as reported by committee of the whole, on the seventeenth instant, was considered by section.

The first and only section being under consideration;

A motion was made by Mr. Harris and Mr. Brady, to amend the section, by reducing the quantity of land from "two" to "one" hundred acres, "to be laid off from the north end of such tract, as may be drawn by the said John Steele, or his legal representatives, by a line run and marked parallel to the northern boundary line of said tract, at the expence of said John Steele, or his legal representatives."

Twelve Yeas and nine Nays, by which it appeared that the question was determined in the affirmative; and the said resolution, to wit:

"Resolved, That the Legislature do adjourn on Friday, the third April next."

Being again under consideration;

A motion was made by Mr. Brady and Mr. Wayne, to amend the resolution, by striking out "Friday the third" and inserting "Monday the sixth" in lieu thereof.

A division of the question, was called for.

Whereupon,

The question, on striking, being put, was determined in the affirmative; and

Thereupon, it was

Moved by Mr. Pennell and Mr. Vance,

That the further consideration of the resolution be postponed for the present.

On which motion, Mr. Brady and Mr. Pennell, required the Yeas and Nays, and, on the question, being put, the Members voted as follow, to wit:

YEAS.

1. Mr. Dorsey,
2. Mr. Hart,
3. Mr. Laird,
4. Mr. Martin,
5. Mr. M'Arthur,
6. Mr. Mitchell,

YEAS.

7. Mr. Pennell,
8. Mr. Rahm,
9. Mr. Spangler,
10. Mr. Vance,
11. Mr. Lane, *Speaker*.

NAYS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Heister,
4. Mr. Lattimore,
5. Mr. Mayer,

NAYS.

6. Mr. Miller,
7. Mr. Richards,
8. Mr. Slaymaker,
9. Mr. Sommer,
10. Mr. Wayne.

Eleven Yeas and ten Nays, by which it appeared that the question was determined in the affirmative.

The bill, entitled "An act for extending an act, entitled "An act regulating and continuing the distribution of donation lands," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Brady in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with one amendment, which was read as reported.

Whereupon,

On motion and by special order,

The said bill as reported by committee of the whole, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

Adjourned till 3 o'clock, P. M.

### *SAME DAY IN THE AFTERNOON.*

The bill, entitled "An act for the relief of Edward Chisselden," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act for the relief of John Rybecker," was read the second time, considered and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act for the relief of John Steele," as reported by committee of the whole, on the seventeenth instant, was considered by section.

The first and only section being under consideration ;

A motion was made by Mr. Harris and Mr. Brady, to amend the section, by reducing the quantity of land from "two" to "one" hundred acres, "to be laid off from the north end of such tract, as may be drawn by the said John Steele, or his legal representatives, by a line run and marked parallel to the northern boundary line of said tract, at the expence of said John Steele, or his legal representatives."

Which was agreed to, and the section as amended adopted.

The title being agreed to.

Ordered, That the said bill be prepared for the third reading.

The bill, entitled "An act to raise by way of lottery a sum of money, to defray the expences of completing a church in Stoystown, and building a bridge over the Quemahoning creek, on the road leading from Stoystown to Ebensburg," was read the second time, and considered by section.

Sections I, II, III, and IV, were severally adopted.

Moved by Mr. Brady and Mr. Spangler,

That a new section be inserted and called section V.

(The object of this was to authorize the raising of six thousand dollars, also, by lottery for the erection of a chapel for the use of the Roman Catholic congregation, in and near Greensburg.)

Which was not agreed to.

The title being agreed to.

Ordered, That the said bill be prepared for the third reading.

The amendments by the House of Representatives, to the amendment by Senate, to the "Resolution for the distribution of the Journals in the German language," were again read, considered and adopted.

Ordered, That the Clerk acquaint the House of Representatives thereof.

The bill, entitled "An act to annul the marriage of James Isaac Thomas Marshall, and Martha Marshall," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Brady in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill without amendment.

Thereupon,

On motion of Mr. Hart and Mr. Richards; and by special order,

The said bill as reported by committee of the whole, was considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

Mr. Wayne from the committee appointed for that purpose, made report :

That the committee in conjunction with the committee of the House of Representatives, have, this day, presented to the Governor, for his approbation, the bills, entitled as follow, to wit :

1. "An act to raise by way of lottery a sum of money, for the purpose of improving the navigation of Penns creek, in Northumberland county."

2. "An act to enable the Governor to incorporate a company, for making an artificial road, by the best and nearest route, from the borough of York, to the Maryland line, at the place where the present York-road passes the same, or as near thereto, as the commissioners shall find expedient."

3. "An act granting an annuity to Archibald M'Fall."

Adjourned 'till 9 o'clock, to-morrow morning.

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*Tuesday, March 31, 1807.*

The Speaker laid before the Senate a letter from the Secretary of the Commonwealth, informing, that he had transmitted to the House of Representatives, sundry depositions, and other documents, in the case of William Thompson, a justice of the peace, in Chester county, agreeably to the act for taking testimony in cases of complaints against justices of the peace; and the same was read, and

Laid upon the table.

Mr. Laird from the committee appointed for that purpose, on the eleventh instant, reported the bill, entitled "A further supplement to an act, entitled "An

act to enable the Governor to incorporate a company, for making an artificial road, by the best and nearest route, from the borough of Sunbury, in the county of Northumberland, to the borough of Reading, in the county of Berks," which was read the first time.

The bill, entitled "An act for the relief of John Rybecker," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act supplementary to the several acts of this Commonwealth, concerning partitions, and for other purposes therein mentioned," was read the third time.

Whereupon,

On motion and by unanimous consent,

The following was received and adopted, as a new section, to be called section IX.

"*And be it further enacted, &c.* That where any person shall die intestate, after the passing of this act, leaving lands or tenements, in more than one county in this Commonwealth, if after inquisition held, any of the legal representatives of such intestate, shall accept of the real estate, upon the valuation thereof, in any one county, such person shall not have the right of preference, or elect to take the real estate, or any other part thereof, in any other county, until all the other heirs or legal representatives, shall refuse to take the same at such valuation."

Thereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with one amendment, in which the concurrence of that House is requested.

(The amendment is as above.)

The bill, entitled "An act authorizing the court of quarter sessions of Butler county, to direct a review of that part of the State road, leading from Blairs-gap to the western boundary of the State, which lies between the twenty-fourth and twenty-seventh mile trees," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act to annul the marriage of James Isaac Thomas Marshall, and Martha Marshall," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act to authorize the sale and conveyance of the real estate of Philip Nicklin, by his surviving partner and legal representatives," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with one amendment, in which the concurrence of that House is requested.

(The amendment is, that this act shall not authorize the sale of any lands, in which the Commonwealth may be interested by reason, of its lien, against the estate of John Nicholson, deceased.)

The bill, entitled "An act for extending an act, entitled "An act regulating and continuing the distribution of donation lands," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with one amendment, in which the concurrence of that House is requested, to wit:

Strike out section II.

The bill, entitled "An act for the relief of John Steele," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "A further supplement to an act, entitled "An act to raise and collect county rates and levies," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That that it be presented to the House of Representatives for concurrence.

The bill, entitled "An act to raise by way of lottery a sum of money; to defray the expence of completing a church in Stoystown, and for building a bridge over Quemahoning creek, on the road leading from Stoystown to Ebensburg," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act to raise by way of lottery, a sum not exceeding eight thousand dollars, for the use and relief of Jacob Zournes, of Northumberland county, who had the whole of his property recently consumed by fire," was read the third time.



Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the negative.

The Clerk of the House of Representatives informed Senate, that that House have concurred in the amendments by Senate, to the bill, entitled "An act for the regulation of the militia of the Commonwealth of Pennsylvania," except the following, to wit :

"In section II, striking out from lines 35, to 42, from 85 to 90, and from 93 to 100, the provision allowing exempts an appeal, &c."

"In section XIX, striking out the words "and also the names of the exempts" in order to conform with the foregoing."

"In section XLIII, striking out "a" and inserting "the" line 19 ; and making "the" read "that" in line 20, also inserting the words "of training" in same line."

"New section numbered XLVII."

In which they do not concur.

Whereupon,

The Senate proceeded to the consideration of the said message, and the said amendments having been considered separately, were severally receded from.

Ordered, That the Clerk acquaint the House of Representatives thereof.

The bill, entitled "An act for the removal of the seat of government," as reported by committee of the whole, yesterday, was considered by section.

Section I, being under consideration.

A motion was made by Mr. Wayne and Mr. Hart, to strike out "Harrisburg, in the county of Dauphin," and inserting in lieu thereof "Philadelphia"

Mr. Mitchell called for a division of the question.

Whereupon,

The Yeas and Nays on the motion to strike out, were required by Mr. Wayne and Mr. Hart, and, on the question, being put, the Members voted as follow, to wit :

## YEAS.

1. Mr. Brady,
2. Mr. Dorsey,
3. Mr. Harris,
4. Mr. Hart,
5. Mr. Heister,
6. Mr. Lattimore,
7. Mr. Mayer,

## NAYS.

1. Mr. Laird,
2. Mr. Martin,
3. Mr. M'Arthur,
4. Mr. Mewhorter,

## YEAS.

8. Mr. Miller,
9. Mr. Richards,
10. Mr. Slaymaker,
11. Mr. Spangler,
12. Mr. Wayne,
13. Mr. Lane, *Speaker*.

## NAYS.

5. Mr. Mitchell,
6. Mr. Pennell,
7. Mr. Rahm,
8. Mr. Vance.

Thirteen Yeas and eight Nays, by which it appeared that the question was determined in the affirmative.

Thereupon,

The Yeas and Nays, on inserting "Philadelphia" were required by Mr. Wayne and Mr. Hart, and, on the question, being put, the Members voted as follow, to wit :

## YEAS.

1. Mr. Dorsey,
2. Mr. Hart,
3. Mr. Lattimore,
4. Mr. Mayer,
5. Mr. Mewhorter,

## NAYS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Heister,
4. Mr. Laird,
5. Mr. Martin,
6. Mr. M'Arthur,

## YEAS.

6. Mr. Richards,
7. Mr. Slaymaker,
8. Mr. Wayne,
9. Mr. Lane, *Speaker*.

## NAYS.

7. Mr. Miller,
8. Mr. Mitchell,
9. Mr. Pennell,
10. Mr. Rahm,
11. Mr. Spangler,
12. Mr. Vance.

Nine Yeas and twelve Nays, by which it appeared that the question was determined in the negative.

Moved by Mr. Heister and Mr. Richards,

That the blank be filled with "Reading"

On which motion, Mr. Hart and Mr. Heister, required the Yeas and Nays, and, on the question, being put, the Members voted as follow, to wit :

## YEAS.

1. Mr. Brady,
2. Mr. Hart,
3. Mr. Heister,
4. Mr. Lattimore,
5. Mr. Mayer,

## NAYS.

1. Mr. Dorsey,
2. Mr. Harris,
3. Mr. Laird,
4. Mr. Martin,
5. Mr. M'Arthur,
6. Mr. Miller,

## YEAS.

6. Mr. Mewhorter,
7. Mr. Pennell,
8. Mr. Richards,
9. Mr. Slaymaker,
10. Mr. Spangler.

## NAYS.

7. Mr. Mitchell,
8. Mr. Rahm,
9. Mr. Vance,
10. Mr. Wayne,
11. Mr. Lane, *Speaker*.

Ten Yeas and eleven Nays, by which it appeared that the question was determined in the negative.

Thereupon, it was

Moved by Mr. Laird and Mr. Martin,

That the blank be filled with "Northumberland"

On which motion, the Yeas and Nays, were required by Mr. Hart and and Mr. Brady, and, on the question, being put, the Members voted as follow, to wit:

## YEAS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Hart,
4. Mr. Laird,
5. Mr. Lattimore,

## NAYS.

1. Mr. Dorsey,
2. Mr. Heister,
3. Mr. Mewhorter,
4. Mr. Miller,
5. Mr. Mitchell,
6. Mr. Pennell,

## YEAS.

6. Mr. Martin,
7. Mr. Mayer,
8. Mr. M'Arthur,
9. Mr. Rahm,
10. Mr. Slaymaker.

## NAYS.

7. Mr. Richards,
8. Mr. Spangler,
9. Mr. Vance,
10. Mr. Wayne,
11. Mr. Lane, *Speaker*.

Ten Yeas and eleven Nays, by which it appeared that the question was determined in the negative.

Moved by Mr. Hart and Mr. Dorsey, (who voted with the majority.)

That Senate re-consider the question, on striking out "Harrisburg"

Which was not agreed to.

Thereupon,

On motion of Mr. Brady and Mr. Wayne,

Agreed, That the further consideration of the bill be postponed generally.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

The "Resolution denying the jurisdiction of the United States courts, touching suits brought, or that may be brought under the act of Assembly, passed the third of April, one thousand seven hundred and ninety-two, directing the sale of vacant lands, lying north and west of the rivers Ohio and Allegheny, and Conewango creek," has been presented for my consideration. I have deliberately considered it, with every possible deference to the Legislative opinion; and not without, some sentiment of good will towards the petitioners, on whose prayer the resolution is founded. But I conceive, that the approbation of the resolution would involve the affirmance of such principles, and might contribute to the production of such consequences, that I am induced to return it with the following objections:

1. That the theory of our State government divides the attributes of legislative, executive and judicial authority into distinct departments; and if in the practical operations of the government, those attributes should be united in any one of the departments, the rights and liberties of the people will no longer be safe.

2. That, the attributes of national authority, being vested in the federal government, are upon the theory of that government, also devolved upon the distinct

departments, legislative, executive and judicial, and if in the practical operations of the federal government, any individual State, or a department of the government, should supercede, or controul the powers of the federal government, or any of its departments, the Union can no longer exist but as a name.

3. That the subject of the present resolution is in its nature judicial, and cannot be affected by legislative exposition.

4. That the subject of the present resolution is cognizable in the federal courts, whether we consider the merits of the controversy, or the question of jurisdiction; and that no State authority, legislative, executive or judicial, can consistently with the express terms of the second section of the sixth article of the federal Constitution annul, supersede or impair a judgement, rendered in a suit depending in a federal court.

5. That the highest tribunal of the nation, (the supreme court of the United States) having adjudged with a full knowledge of all the matter, contained in the recital of the present resolution, that the merits of the controversy, as well as the interests, involved in the suits under the act of the third of April, one thousand seven hundred and ninety-two, so far as they have hitherto been litigated in federal courts, are of federal jurisdiction, a just sense of law and order, would seem to prescribe an acquiescence in that judgement, without impairing the general right of opinion; without affecting the right of the State, to dispose of her lands, and without interfering, with the enforcement of her contracts through the medium of her own courts.

6. That the declaration of a legislative opinion, on the part of the State, extending to *all causes* under the act of April, one thousand seven hundred and ninety-two, in direct opposition, to a judicial decision on the part of the United States, is in itself so extraordinary either as an instrument of advice or intimidation; and in its consequences must either be so abortive, or so injurious, that I deem it a duty, not only to my own

reputation; but to my country's peace and happiness to afford the opportunity of these objections for solemn re-consideration.

THOMAS M'KEAN.

*Lancaster, March 31, 1807.*

The bill, entitled "An act to enable the Governor to incorporate a company, to make an artificial road from the court-house, in the borough of Gettysburg, through Petersburg, to the Maryland line, near Bid-dle's mill," as reported by committee of the whole, yesterday, was considered by section.

Section I, being under consideration.

The question, on agreeing thereto, being put, was determined in the negative, and so the bill was lost.

The bill, entitled "An act to repeal an act for the inspection of flour, in certain western counties of this Commonwealth," was read the second time, and considered by section.

Section I, being under consideration.

The question, on agreeing thereto, being put, was determined in the negative, and so the bill was lost.

The bill, entitled "An act to provide for the erection of a poor-house, for the better relief and employment of the poor, in the townships of Oxford and Lower Dublin, in the county of Philadelphia," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Hart in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill without amendment.

The bill, entitled "An act extending the powers of the justices of the peace and aldermen in certain cases," was read the second time, considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act to alter and amend the several laws of this Commonwealth, relative to domestic attachments," was read the second time, considered by section, and agreed to.

Whereupon,

On the question, "*Shall this bill be prepared for the third reading?*"

A motion was made by Mr. Wayne and Mr. Brady, to postpone the further consideration of that question, for the present.

Which was agreed to.

The Clerk of the House of Representatives informed, that that House have concurred in the amendments by Senate, to the bill, entitled "An act to authorize the sale and conveyance of the real estate of Philip Nicklin, by his surviving partner and legal representatives."

But that they have not concurred in the amendments by Senate, to the bills, entitled as follow, to wit:

1. "An act for extending an act, entitled "An act regulating and continuing the distribution of donation lands."

2. "An act to render perpetual a certain act, respecting the Philadelphia and Lancaster turnpike road."

3. "An act to provide for the erection of a house for the employment and support of the poor, in the county of Bucks."

4. "An act regulating the appointment of circuit courts, and for other purposes."

And he presented for concurrence, the bills, entitled as follow, to wit:

1. "An act for the further establishment and regulation of election districts."

2. "An act concerning strays."

3. "An act for extending the width of Wharf-street, and regulating the wharves within the district of Southwark."

Which were severally read the first time.

The bill, entitled "An to authorize John Guier, and Dorothy his wife, and Henry Orth, and Adam

Henchman, to lease upon perpetual ground rent, certain lots therein mentioned," was read the second time, and considered by section.

Section I, being under consideration.

A motion was made by Mr. Pennell and Mr. Dorsey, to amend the section, by limiting the lease to ten years.

Which was agreed to, and the section as amended adopted.

The preamble was agreed to.

The title being amended, by striking out the word "perpetual" so as to conform to the amendment made in the bill, and agreed to.

Ordered, That the said bill be prepared for the third reading.

Adjourned till 3 o'clock, P. M.

### *SAME DAY IN THE AFTERNOON.*

The bill, entitled "An act making an appropriation for the improvement of certain roads in the western counties, and authorizing the courts of the respective counties, to appoint fit persons to view and lay out the same," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act for the relief of Edward Chisselden," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with one amendment, in which the concurrence of that House is requested.

The amendment is—



"That the legal debts of the said Edward Chisselden, shall be paid out of the monies granted by the act."

The bill, entitled "An act to enable Samuel Jackson, of Allegheny county, to sell and convey certain land therein mentioned," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

On leave given, Mr. Hart read a bill in his place, and by permission, presented the same to the Chair, entitled "A further supplement to the act, entitled "An act for laying out, making and keeping in repair the public roads and highways within this Commonwealth," which was read the first time.

The bill, entitled "An act imposing certain penalties upon persons defrauding incorporated turnpike companies of their legal tolls, and also upon gate-keepers for demanding or receiving, in advance, greater tolls than in proportion to the distance travelled," was read the second time, and considered by section.

Section I, being under consideration.

The Yeas and Nays, on agreeing thereto, were required by Mr. Hart and Mr. Heister, and, on the question, being put, the Members voted as follow, to wit:

YEAS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Hart,
4. Mr. Heister,
5. Mr. Laird,
6. Mr. Lattimore,
7. Mr. Martin,
8. Mr. M'Arthur,

NAYS.

1. Mr. Dorsey,
2. Mr. Mayer,
3. Mr. Mewhorter,

YEAS.

9. Mr. Miller,
10. Mr. Mitchell,
11. Mr. Pennell,
12. Mr. Rahm,
13. Mr. Richards,
14. Mr. Spangler,
15. Mr. Vance,
16. Mr. Lane, *Speaker*.

NAYS.

4. Mr. Slaymaker,
5. Mr. Wayne.

Sixteen Yeas and five Nays, by which it appeared that the question was determined in the affirmative.

The title being agreed to.

Ordered, That the said bill be prepared for the third reading.

The bill, entitled "An act granting pensions to John Unruh and William Unruh," was read the second time, and considered by section.

Section I, being under consideration.

The question, on agreeing thereto, being put, was determined in the negative, and so the bill was lost.

Adjourned till 9 o'clock, to-morrow morning.

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## *Wednesday, April 1, 1807.*

Mr. Dorsey from the committee appointed on the twenty-sixth ultimo, to enquire into the propriety of instructing the Senators, and requesting the Members of the House of Representatives from this State, in the Congress of the United States, to use their endeavours to procure a law, establishing weights and measures: Report,

That they have attended to the duty enjoined on them, and offer the following as a result, viz.

1. That the law of this State, for regulating of weights and measures, was passed so long since as the year one thousand seven hundred, and is the only law in force.

2. That the standards for regulation mentioned in the said law, are now no longer to be found, except a few small measures of capacity, (which do not agree with the proper measures for wine, beer or articles of the dry kind, and are therefore only used for milk) and a brass or copper half bushel, that the whole of the standards, as well ancient as modern now used by the officers of regulation for the city and county of Philadelphia, are in an incomplete and irregular condition, the unit or pound avoirdupois, not bearing due and relative proportions, either with its decreasing

ratio of ounces, or parts thereof, or with the increasing ratio to the greater weights, and so of all the measures, as well of extension as of capacity, nor is there any evidence, that any of the said weights or measures, have been regulated as is by the said law required, in consequence of which the persons authorized as regulators cannot know how to act for want of the proper data.

3. That in consequence of the said standards, or of those used as such remaining, in such irregular condition the wholesome objects of the law, which contemplates the establishment of well regulated weights and measures throughout the respective counties of this Commonwealth, cannot be carried into the desired effect.

From the foregoing circumstances, your committee are of opinion, that although it may be expedient to instruct and request our Members in Congress, to use their endeavours, to obtain such law, yet as that body have had the subject under consideration, and as frequent endeavours have been made (as your committee are informed) by the Members thereof, to bring forward and establish a uniform system of weights and measures, all which have failed, and as it is entirely uncertain, when such law may be passed, your committee hope, that it will not be deemed irrelative, to suggest to Senate, not to lose sight of the principles of a bill, which owing to the lateness of the session, was necessarily recommended to the attention of the succeeding Legislature, which bill has for its object the establishment of a uniform system of weights and measures, to be in force until the Congress of the United States shall establish such uniform system. The standing, which Pennsylvania has always supported among her Sister-States, for wholesome, and even exemplary laws, is a further claim for the attainment of this object. The Governor in his address to both Houses of the Legislature, on the twenty-eight December, one thousand seven hundred and ninety, particu-

larly recommends the passing such laws, unless Congress should speedily provide.—Seventeen years have passed since that time.

The president of the select and common councils of the city of Philadelphia, through the medium of their representatives, in the General Assembly of this Commonwealth, have asked for it, and the trade of a great metropolis, a widely increased population, as well as a general solicitude may all be adduced in support of the suggestion of your committee.

Your committee, therefore, hope that it will not be deemed as overstepping the bounds of their duty to bring into view (in order to afford time for consideration) the principles which, (should they have been approved) would have been introduced in the before mentioned bill, they are as follow:

A plan for the establishment of standards for weights and measures,

The whole system to be comprized in three articles or unit of regulation, viz.

The unit of extension, the unit of capacity, and the unit of weight, to wit:

1. The unit or measure of extension, to be the same, and no other than the English foot-rule or measure, which has heretofore always obtained, as well throughout this State, as throughout the whole of the United States, in the measurement of the lands thereof, to be ascertained as regards exactitude by the mayor and aldermen of the city of Philadelphia, after taking into aid the officers of the mint of the United States, and of the Philosophical society, who will, when required, afford such aid, and who it is believed, are in possession of the mean by which to ascertain and determine such unit or foot measure, to wit: Bird's standard of the British Exchequer scale, and a comparative and corroborative test of the same, by means of two well regulated and authentic French toises, and an accurate French metre, with other data; the said unit or foot, when so ascertained, to be divided on one side into

twelfths or inches, and parts of inches, in the usual manner, and on the other side into tenths of such unit or foot, and again into tenths, of such tenths or hundreds of such foot.

2. The unit or measure of capacity or common pint measure, to contain sixteen such cubical tenths of the aforesaid unit or foot measure, to be fashioned (as regards the regulator or standards only) in a square form, the sides and bottom, to be at least the half of such decimal inch in thickness.

3. The unit of weight or pound avoirdupois, to be equal to the weight of as much distilled or pure water, as at the temperature of the sixtieth degree of the thermometer of Fahrenheit, will fill the aforesaid unit or pint measure of capacity, the said measure also being at the said temperature of sixty degree.

The whole of this system is founded on a known principle, to wit: That a cubic foot of distilled, or pure water, at sixty degrees of Fahrenheit's thermometer, is just equal to one thousand ounces avoirdupois, it follows, that as there are exactly one thousand cubic decimals, or tenths in such cubic, or square foot, every such tenth or cubic decimal is an ounce avoirdupois, and that sixteen of these are equal to a pound of the said avoirdupois.

The three standards as aforesaid, to be all made of the metal, called platina, in a strong manner, and of the best workmanship, to be kept in the most secure way from damage or fire, and to have engraven on each of them, these words: "Pennsylvania original standard for the unit of extension, of capacity or of weight," as to each of them shall properly belong, to be regulated in the first instance, at the said temperature of sixty degrees of Fahrenheit, and at all times, when used for the examination or regulation of other standards, to be deduced therefrom, to be at the same precise temperature, to be at all times in the possession of the mayor of the city of Philadelphia. the time being, and to be delivered to his succes

office, all of whom to be enjoined, not to suffer no alteration, or use other than for the purpose herein before expressed.

From these said three standards, are to be derived ascertained and determined by the said mayor and aldermen, all other standards, as well in the encreasing, as the decreasing ratio, which said increasing or decreasing ratio, should in all instances, be by tens or decimals; and the said mayor and aldermen, to cause to be made according to the aforesaid original standards, a set for the use of the regulator or regulators of the said city and county, in such manner, and in such divisions or encrease, by the order of tens or decimals, as to them shall appear best, and to cause to be engraven on each and every such standard the words "Pennsylvania Standard" for such or so many units or parts thereof, as the same shall contain, which set when compleated, to be delivered to the said officers of regulation for the said city and county; the expence of which as well as of the original standards, to be paid by the said city and county.

The select and common councils of the city of Philadelphia, to be authorized to make any law or ordinance, imposing reasonable fines within the said city and county on the officers, who shall be appointed regulators as aforesaid, on persons refusing to have their weights and measures examined, for not sending them when required, and also for fixing the prices for regulating defective or new weights or measures. And further, the said select and common councils, to be authorized to determine the mode by which measures should be tried, whether by the seed called millet, by flax-seed passing through a funnel, or by water; to cause the standards for large dry measures, to be made of wood, in the best manner, and properly secured against wear, to be regulated from the said originals, at the aforesaid temperature of sixty degrees; and also, to prevent the further making or using weights, made of

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lead or soft metal, and to determine of all dry measures.

A schedule or detail of all the measures by the foregoing system, will, if time shall be offered by your committee; at present it is to observe, that the principal variation consists in the old divisions of the foot into decimals, notwithstanding the accuracy used by those attached to the old divisions of the United States, by such decimal mode. The accuracy proved in the instance of the division of the dollar of the United States, whether the same has been sufficiently proved in the instance of the division of the foot into twelfths, or inches, are still to be adopted for any scheme, Nor is this system incompatible with any universal standard, or motion, the mode of the degree; inasmuch as our foot on the pendulum or the degree, which our whole landed property shall be effected by means of matter, or whether the same exactitude, of which consequence can never be derived from, as an integer and be established there. In addition to all which holding its proportion thereto, correcting itself, for instance a pound of weight of such pure or distilled water, will, when squared, exhibit not a difference of capacity, but a unit of measure of capacity, but a unit or foot of mensuration from which your committee, therefore, recommends that the Congress be instructed, and the Members of the Senate, and the Representatives, in the Congress requested, to use their endeavors for the establishment of an uniform system of measures. And also that the data connected with that subject be recommended to the Legislature of this Commonwealth, and that the time considered at the time

purpose already recommended to their attention shall be before them.

Mr. Harris from the committee to whom was referred, on the thirtieth ultimo, the bill, entitled "A further supplement to an act, entitled "An act for offering compensation to the Pennsylvania claimants of certain lands in the Seventeen townships, in the county of Luzerne, and for other purposes therein mentioned," reported the said bill with amendments, which were read as reported.

Mr. Mitchell asked, and obtained leave of absence for the remainder of the session.

The bill, entitled "An act imposing certain penalties upon persons defrauding incorporated turnpike companies, of their legal tolls, and also upon gate-keepers, for demanding or receiving in advance greater tolls than in proportion to the distance travelled," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act to enable Samuel Jackson, of Allegheny county, to sell and convey certain land therein mentioned," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act to authorize John Guier, and Dorothy his wife, and Henry Orth, and Adam Henchman, to lease upon perpetual ground rent, certain lots therein mentioned," was read the third time.



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Whereupon, The question, "Shall this bill pass?" be-  
was determined in the affirmative.  
Ordered, That it be returned to the House  
presentatives, with information that Senate have  
the said bill with amendments, in which the  
currence of that House is requested.  
The amendments are—

Strike out the word "forever" as it applies to  
duration of the lease, and insert "for ten years"  
Strike out the word "perpetual" in the title.  
The bill, entitled "An act extending the power  
of the justices of the peace and aldermen in certain  
cases," was read the third time.

Whereupon, The question, "Shall this bill pass?" being put, was  
determined in the affirmative.

Ordered, That it be returned to the House of Re-  
presentatives, with information that Senate have passed  
the said bill without amendment.  
The bill, entitled "An act authorizing the Presi-  
dent of the United States, to open a road through  
that part of this State, lying between Cumberland, in  
the State of Maryland, and the Ohio river," was read  
the third time.

Whereupon, The question, "Shall this bill pass?" being put, was  
determined in the affirmative.

Ordered, That it be presented to the House of Re-  
presentatives for concurrence.

On motion, The Senate resumed the consideration of the b-  
entitled "An act for the relief of William Chan-  
and others," postponed for the present, on the r-  
fifth ultimo.

The consideration of the question, "Sh-  
be prepared for the third reading?" recur-  
ing put, was determined in the negative  
bill was lost.

The bill, entitled "An act making an appropriation for improving the navigation of Le Bœuff, and French creeks, from Waterford, to the south line of Erie county," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "A supplement to the act, entitled "An act for the relief and support of insolvent debtors," was read the second time, considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "A supplement to an act, entitled "An act to erect Somerset-town, in the county of Somerset, into a borough," was read the second time, and considered by section.

Sections I, II, III and IV, were severally adopted.

Section V, being under consideration.

A motion was made by Mr. Pennell and Mr. Miller, to strike out all that part which respects fairs.

Which was agreed to, and the section as amended adopted.

The remaining sections with the title being agreed to.

Ordered, That the said bill be prepared for the third reading.

The message from the House of Representatives informing, that that House do not concur in the amendment by Senate, on the bill, entitled "An act for extending an act, entitled "An act regulating and continuing the distribution of donation land," read yesterday, was again read.

Whereupon,

Resolved, That Senate do adhere to their said amendment; and

Ordered, That the Clerk acquaint the House of Representatives thereof.

The bill, entitled "An act vesting a title to sixty acres of land, in Mahonoy township, Northumberland county, in certain trustees and their successors for the benefit of a congregation, composed of Presbyterians and

Lutherans," was read the second time, considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act authorizing certain persons, to sell and convey a tract of land, the property of West-Caln township, in the county of Chester," was read the second time, considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act appropriating a sum of money, for laying out and opening a State-road, from Logans Narrows, in the county of Huntingdon, to the State-road leading to Presqu'-isle," was read the second time, considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An to enforce the collection and settlement of tavern licences, militia exempt fines, and for other purposes," was read the second time, and considered by section.

Section I, was adopted.

Section II, being under consideration.

A motion was made by Mr. Pennell and Mr. M'Arthur, to amend the section, by inserting next after "February" in line 5, the following; "succeeding the said fines and licences becoming due"

Which was agreed to, and the section as amended adopted.

The remaining sections and title being agreed to.

Ordered, That the said bill be prepared for the third reading.

The Clerk of the House of Representatives informed Senate, that that House have concurred in the amendments by Senate, on the bill, entitled "An act supplementary, to the several act of this Commonwealth, concerning partitions, and for other purposes therein mentioned."

The bill, entitled "An act to enable David Mahan, John Simpson and others, to restore a stream of water, in the neighbourhood of Shippensburg, in the county of Cumberland, to its ancient course, and for orther purposes therein mentioned," was read the second time, considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act vacating a part of the Old York-road, and authorizing the court of quarter sessions of Montgomery county, to direct a new road to be laid out in lieu thereof," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act enjoining certain duties, on the judges of the supreme court," was read the second time, considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

The Clerk of the House of Representatives presented for signature, the bills entitled as follow, to wit:

1. "An act to raise by way of lottery a sum of money, to defray the expences incurred by the trustees of the German Lutheran congregation, in and near the borough of Lancaster."

2. "An act for the removal of the powder magazine from the city of Philadelphia."

3. "An act for exploring and marking a road from the point, where the Coshecton and Greatbend turn-pike road, passes through Moosic mountain, in a western direction, to the west line of the State."

4. "An act to enable Henry Hawkins, guardian of Maria Bicker, to sell certain real estate belonging to the said Maria."

5. "An act to authorize the Secretary of the Land-office; to sign patents for land and land warrants."

6. "A further supplement to the penal laws of this State!"

7. "An act to enable Edward Tilghman, junior, in behalf of his wife, Rebecca Tilghman, and the guardian of Ann Waln, Rebecca Wharton and Susan Wharton, minors, to make partition of certain lands, belonging to them and others, as tenants in common."

8. "A supplement to an act, entitled "An act directing the mode of selecting and returning jurors."

9. "A supplement to an act, entitled "An act to enable the Governor of this Commonwealth, to incorpo-

rate a company, for making an artificial road, from Lancaster, through Elizabethtown to Middletown."

10. "An act for the relief of John Rybecker."

11. "An act authorizing the court of quarter sessions of Butler county, to direct a review of that part of the State-road leading from Blairs-gap, to the western boundary of the State, which lies between the twenty-fourth and twenty-seventh mile trees."

12. "An act to annul the marriage of James Isaac Thomas Marshall, and Martha Marshall."

13. "An act supplementary to the several acts of this Commonwealth, concerning partitions, and for other purposes therein mentioned."

14. "An act to authorize the sale and conveyance of the real estate of Philip Nicklin, by his surviving partner and legal representatives."

15. An act to authorize the Governor to incorporate a company, for making an artificial road from the Philadelphia and Lancaster turnpike road, in Lancaster county, at or near the Gap-tavern, to the line of the State of Delaware."

Whereupon,

The Speaker signed the said bills.

The bill, entitled "An act directing the mode of paying taxes on unseated lands within this Commonwealth," was read the second time, and considered by section.

The first and only section, being under consideration.

The Yeas and Nays, on agreeing thereto, were required by Mr. Wayne and Mr. McArthur, and, on the question, being put, the Members voted as follows, to wit:

**YEAS.**

1. Mr. Dorsey,
2. Mr. Hart,
3. Mr. Heister,
4. Mr. Mayer,
5. Mr. Miller,

**YEAS.**

6. Mr. Pennell,
7. Mr. Rahm,
8. Mr. Slaymaker,
9. Mr. Sommer,
10. Mr. Wayne.

NAYS.

1. Mr. Brady,
2. Mr. Laird,
3. Mr. Martin,
4. Mr. M'Arthur,

NAYS.

5. Mr. Richards,
6. Mr. Spangler,
7. Mr. Vance,
8. Mr. Lane, *Speaker*.

Ten Yeas and eight Nays, by which it appeared that the question was determined in the affirmative.

The title of the bill being agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act concerning strays," was read the second time, and considered by section.

Sections I, and II, were severally agreed to.

Section III, being under consideration.

A motion was made by Mr. Wayne and Mr. Hart, to amend the section, by inserting in line 14, the words "lawfulness of the" (with respect to fences.)

Which was not agreed to.

Whereupon, it was,

Moved by Mr. Vance and Mr. Martin,

To postpone the further consideration of the said bill, for the present.

Which was agreed to.

The bill, entitled "An act for extending the width of Wharf-street, and regulating the wharves within the district of Southwark," was read the second time, considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

Moved by Mr. Pennell and Mr. Hart, (who voted with the majority.)

That Senate re-consider the bill, entitled "An act directing the mode of paying taxes, on unseated lands in this Commonwealth," for the purpose of inserting a provision for compensating the State-treasurer for his services.

The question, on the motion to re-consider, being put, was determined in the affirmative.

Whereupon,

The first section of the said bill, being again under consideration ; it was

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Moved by Mr. Wayne and Mr. Hart, to insert five per cent.

Which was agreed to.

Thereupon,

A motion was made by Mr. Vance and Mr. Brady, to postpone the further consideration of the bill, for the present.

Which was not agreed to.

Whereupon,

The Yeas and Nays, on adopting the section, were required by Mr. Vance and Mr. Pennell, and, on the question, being put, the Members voted as follow, to wit:

YEAS.

1. Mr. Dorsey,
2. Mr. Hart,
3. Mr. Heister,
4. Mr. Lattimore,
5. Mr. Mayer,
6. Mr. Miller,

NAYS.

1. Mr. Brady,
2. Mr. Laird,
3. Mr. Martin,
4. Mr. M'Arthur,

YEAS.

7. Mr. Pennell,
8. Mr. Rahm,
9. Mr. Slaymaker,
10. Mr. Sommer,
11. Mr. Spangler,
12. Mr. Wayne.

NAYS.

5. Mr. Richards,
6. Mr. Vance,
7. Mr. Lane, *Speaker.*

Twelve Yeas and seven Nays, by which it appeared that the question was determined in the affirmative.

The title was agreed to.

Whereupon,

On the question, "*Shall this bill be prepared for the third reading?*"

A motion was made by Mr. Vance and Mr. Martin, to postpone the further consideration of that question, for the present.

Which was not agreed to.

And on the question, being put, it was determined in the affirmative.

Ordered, That the said bill be prepared for the third reading.

The Clerk of the House of Representatives presented for signature, the bill, entitled "An act for the regulation of the militia of the Commonwealth of Pennsylvania."

Whereupon,

The Speaker signed the said bill.

The bill, entitled "An act to provide for the erection of a poor-house, for the better relief and employment of the poor, in the townships of Oxford and Lower Dublin, in the county of Philadelphia," was read the second time, and considered by section.

Sections I, and II, were severally adopted.

Section III, being under consideration.

A motion was made by Mr. Sommer and Mr. M'Arthur, to amend the section, by striking out all that follows the word "That" in line 2, to and including the word "appointed" in line 5, and inserting in place thereof, the following: "the electors of the said townships, qualified to vote for Members of the House of Representatives, shall meet at the house of Christopher Snyder, sign of the Wheat sheaf, on the last Saturday in April, one thousand eight hundred and seven, of which time and place it shall be the duty of the overseers of the poor of said township, to give public notice, and after appointing one freeholder from each of said townships, to preside as judges of the election, shall elect by ballot four citizens and inhabitants of said townships to serve as"

Which was agreed to, and the section as amended adopted.

The remaining sections with the title having being agreed to.

Ordered, That the said bill be prepared for the third reading.

Adjourned till 4 o'clock, in the afternoon.



The Secretary of the Commonwealth, presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I HAVE, this day, approved and signed the following acts of the General Assembly, and directed the Secretary, to return the same to the respective Houses, in which they originated, to wit:

1. "An act to incorporate trustees for the Meadville academy, and to establish the same."

2. "A supplement to an act, entitled "An act to erect the town of Canonsburg, in the county of Washington, into a borough."

3. "A further supplement to the act, entitled "An act to provide for the erection of Houses for the employment and support of the poor, in the counties of Chester and Lancaster, and "A supplement to the act, entitled "An act to provide for the erection of a house for the employment and support of the poor, in the county of Delaware."

4. "A supplement to an act, entitled "An act making an appropriation for the building of a bridge in Somerset county."

5. "An act granting George Huber and Michael Zeller, a tract of donation land."

6. "An act to provide for the enumeration of the taxable inhabitants and slaves within this Commonwealth."

7. "An act making appropriations for improving the road leading from Milesburg, in Centre county, to Waterford, in Erie county."

8. "A supplement to an act, entitled "An act authorizing the Governor, to incorporate a company, for making an artificial road from the bank of the river Susquehanna, opposite the borough of Harrisburg to Pittsburg."

9. "An act to enable the Governor to incorporate a company, for making an artificial road, by the best and nearest route, from the borough of York, to the Maryland line, at the place the present York-road passes the same, or as near thereto, as the commissioners shall find expedient."

10. "An act to raise by way of lottery a sum of money, for the purpose of improving the navigation of Penns creek, in Northumberland county."

11. "An act granting an annuity to Archibald M'Fall."

THOMAS M'KEAN.

*Lancaster, March 31, 1807.*

The Clerk of the House of Representatives informed Senate, that that House have not concurred in the amendments by Senate, to the bill, entitled "An act to authorize John Guier, and Dorothy his wife, and Henry Orth, and Adam Henchman, to lease upon perpetual ground rent, certain lots therein mentioned."

He returned the bill, entitled "An act to confirm to George Bilger, a title to a certain lot of land, in the county of Montgomery," and informed that the House of Representatives have passed the same without amendment.

And he presented for concurrence the bills, entitled as follow, to wit:

1. "An act authorizing the Governor, to take conveyances for certain lands in the counties of Huntingdon and Centre, for the use of this Commonwealth."

2. "An act for the inspection of hogslard, intended for exportation."

3. "An act granting a tract of donation land, to the heirs of John Allen."

4. "An act for the protection of livery stable keepers, and inn keepers within this Commonwealth."

5. "A supplement to the act, for establishing the seat of justice, in the county district of Tioga."

6. "An act granting a tract of donation land, to John Light, of the borough of Lancaster."

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7. "An act granting Edward Beeby, a tract of land." Whereupon,

The said bills were severally read the first time. The message from the House of Representatives forming, that that House do not concur in the amendment by Senate, on the bill, entitled "An act to perpetuate a certain act, respecting the Philadelphia Lancaster turnpike road," read yesterday, was again read.

Whereupon, That Senate not recede from their amendment, and Resolved, That the Clerk acquaint the House of Representatives thereof.

Ordered, That that House do not concur in the amendment by Senate, to the bill, entitled "An act to provide for the erection of a house for the employment and support of the poor, in the county of Bucks," read yesterday, was again read.

Whereupon, Resolved, That Senate do recede from their said amendment, and Ordered, That the Clerk acquaint the House of Representatives thereof.

On motion of Mr. Brady and Mr. Richards, (who voted with the majority) Agreed, That the question (negating the first section) on the bill, entitled "An act to enable the Governor to incorporate a company, to make an artificial road from the court-house, in the borough of Gettysburg, through Petersburg, to the Maryland line, near Biddle's mill," be re-considered; and The said bill being again under consideration.

The consideration of section I, recurring. The question, on adopting the same, being put, was determined in the affirmative. The remaining sections with the title having been agreed to.

Ordered, That the said bill be prepared for the third reading.

On motion and by special order,

The bill, entitled "An act for the inspection of hogslard, intended for exportation," was read the second time, considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act for the further establishment and regulation of election districts," was read the second time, and referred to Mr. Harris, Mr. Vance and Mr. McArthur, to consider and report thereon.

On leave given, Mr. Brady read a bill in his place, and by permission, presented the same to the Chair, entitled "An act making appropriations for the improvement of certain roads," which was read the first time.

On motion of Mr. Vance and Mr. Brady,

The Senate resumed the consideration of the bill, entitled "An act concerning strays," postponed for the present in the forenoon.

The consideration of section III, recurring.

After debate,

A motion was made by Mr. Hart and Mr. Wayne, to postpone the further consideration of the bill, for the present.

Which was not agreed to.

Whereupon, it was,

Moved by Mr. Vance and Mr. Brady, and

Agreed, That the further consideration of the said bill be postponed generally.

The Clerk of the House of Representatives presented for signature, the bills, entitled as follow, to wit:

1. "An act granting Jacob Bottimore, a tract of donation land."

2. "An act to confirm to George Bilger, a title to a certain lot of land, in the county of Montgomery."

3. "An act to enable Samuel Jackson, of Allegheny county, to sell and convey certain lands therein mentioned."

4. "An act imposing certain penalties upon persons defrauding incorporated turnpike companies of their legal tolls, and also upon gate-keepers for demanding or receiving, in advance, greater tolls than in proportion to the distance travelled."

5. "An act extending the powers of the justices of the peace and aldermen in certain cases."

He presented for concurrence, the bills, entitled as follow, to wit :

1. "An act enjoining certain duties on the officers of the Land-office."

2. "An act to alter and amend an act, entitled "An act for the better support of the public credit, &c." passed the tenth of April, one thousand seven hundred and eighty-one.

And he informed that the House of Representatives have not concurred in the amendments by Senate, to the bills, entitled as follow, to wit :

1. "An act for the relief of Edward Chisselden."

2. "An act to alter and amend the act, entitled "An act to provide for the settlement of public accounts, and for other purposes therein mentioned."

The Speaker signed the bills, presented for signature.

The bills presented for concurrence, were severally read the first time.

Mr. Hart from the committee appointed for that purpose, made report, as follows, to wit :

That the committee in conjunction with the committee of the House of Representatives, have, this day, presented to the Governor, for his approbation, the bills entitled as follow, to wit :

1. "A supplement to an act, entitled "An act to enable the Governor of this Commonwealth, to incorporate a company, for making an artificial road, from Lancaster, through Elizabethtown to Middletown."

2. "An act for exploring and marking a road from the point, where the Coshecton and Greatbend turnpike road, passes through Moosic mountain, in a western direction, to the west line of the State."

3. "An act to enable Henry Hawkins, guardian of Maria Becker, to sell certain real estate belonging to the said Maria."

4. "An act to authorize the Secretary of the Land-office, to sign patents for land and land warrants."

5. "An act to raise by way of lottery a sum of money, to defray the expences incurred by the trustees of the German Lutheran congregation, in and near the borough of Lancaster."

6. "A supplement to an act, entitled "An act directing the mode of selecting and returning jurors."

7. "An act to enable Edward Tilghman, junior, in behalf of his wife, Rebecca Tilghman, and the guardians of Ann Waln, Rebecca Wharton and Susan Wharton, minors, to make partition of certain lands, belonging to them and others, as tenants in common."

8. "An act for the removal of the powder magazine from the city of Philadelphia."

9. "A further supplement to the penal laws of this State."

10. "An act supplementary to the several acts of this Commonwealth, concerning partitions, and for other purposes therein mentioned."

11. "An act to authorize the sale and conveyance of the real estate of Philip Nicklin, by his surviving partner and legal representatives."

12. "An act to annul the marriage of James Isaac Thomas Marshall, and Martha Marshall."

13. "An act authorizing the court of quarter sessions of Butler county, to direct a review of that part of the State road leading from Blairs-gap, to the western boundary of the State, which lies between the twenty-fourth and twenty-seventh mile trees."

14. "An act for the relief of John Rybecker."

15. An act to authorize the Governor to incorporate a company, for making an artificial road from the Philadelphia and Lancaster turnpike road, in Lancaster county, at or near the Gap-tavern, to the line of the State of Delaware."

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16. "An act for the regulation of the m<sup>on</sup> Commonwealt<sup>h</sup> of Pennsylvania."
  17. "An act imposing certain penalties on persons defrauding incorporated turnpike companies legal tolls, and also upon gate-keepers, for de or receiving in advance greater tolls than in tion to the distance travelled."
  18. "An act extending the powers of justice the peace and aldermen in certain cases."
  19. "An act to enable Samuel Jackson, of A heny county, to sell and convey certain lands the mentioned."
  20. "An act granting Jacob Bottimore a tract of d nation land."
  21. "An act to confirm to George Bilger, a title to certain lot of land, in the county of Montgomery."
- Adjourned till 9 o'clock, to-morrow morning.

Thursday, April 2, 1807.

The bill, entitled "An act directing the mode of paying taxes on unseated lands within this Commonwealt<sup>h</sup>," was read the third time.

Whereupon,  
The Yeas and Nays, on the passage of the bill, were required by Mr. M'Arthur and Mr. Vance, and on the question, being put, the Members voted as follows, to wit:

- YEAS.
1. Mr. Dorsey,
  2. Mr. Hart,
  3. Mr. Heister,
  4. Mr. Lattimore,
  5. Mr. Mayer,
  6. Mr. Miller,
  7. Mr. Pennell,

- YEAS.
8. Mr. Rahm,
  9. Mr. Richards,
  10. Mr. Slaymaker,
  11. Mr. Sommer,
  12. Mr. Spangler,
  13. Mr. Wayne

## NAYS.

1. Mr. Brady,
2. Mr. Laird,
3. Mr. Martin,

## NAYS.

4. Mr. M'Arthur,
5. Mr. Vance,
6. Mr. Lane, *Speaker*.

Thirteen Yeas and six Nays, by which it appeared that the question was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act to provide for the erection of a poor-house, for the better relief and employment of the poor, in the townships of Oxford and Lower Dublin, in the county of Philadelphia," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence of that House is requested.

[*For the amendments, see Journal of yesterday.*]

The bill, entitled "An act making an appropriation for improving the navigation of Le Bœuff, and French creeks, from Waterford, to the south line of Erie county," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act for the inspection of hog-lard, intended for exportation," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.



The bill, entitled "An act enjoining certain duties, on the judges of the supreme court," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the same without amendment.

The bill, entitled "An act to enable the Governor to incorporate a company, to make an artificial road from the court-house, in the borough of Gettysburg, through Petersburg, to the Maryland line, at or near Biddle's mill," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act for extending the width of Wharf-street, and regulating the wharves within the district of Southwark," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act vacating a part of the Old York-road, and authorizing the court of quarter sessions of Montgomery county, to direct a new road to be laid out in place thereof," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act to enable David Mahon, John Simpson and others, to restore a stream of water, in the neighbourhood of Shippensburg, in the county of Cumberland, to its ancient course, and for other purposes therein mentioned," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act appropriating a sum of money, for laying out and opening a State-road, from Logans Narrows, in the county of Huntingdon, to the State-road leading to Presqu'isle," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act authorizing certain persons to sell and convey a tract of land, the property of West-Cain township, in the county of Chester," was read the third time,

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act vesting a title to sixty acres of land, in Mahonoy township, Northumberland county, in certain trustees and their successors for the benefit of a congregation, composed of Presbyterians and Lutherans," was read the third time.

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Whereupon, The question, "Shall this bill pass?" being determined in the affirmative.

Ordered, That it be returned to the House representatives, with information that Senate have the said bill without amendment.

The bill, entitled "A supplement to an act, entitled 'An act to erect Somerset-town, in the county of Somerset, into a borough,'" was read the third time.

Whereupon, The question, "Shall this bill pass?" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with one amendment, in which the concurrence of that House is requested.

The amendment is—  
To strike out the provision, which authorizes the holding of fairs in said borough.

The bill, entitled "A supplement to the act, entitled 'An act for the relief and support of insolvent debtors,'" was read the third time.

Whereupon, The question, "Shall this bill pass?" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The Clerk of the House of Representatives presented for concurrence, the bill, entitled "A supplement to an act, entitled 'An act to regulate arbitrations and proceedings in courts of justice,'" which was read the first time.

The bill, entitled "An act to repeal in part an act, entitled 'An act for the sale of unappropriated islands in the rivers Ohio, Allegheny and Delaware,'" was read the second time.

Whereupon, it was,  
Moved by Mr. Hart and Mr. Wayne, and

Agreed, That the further consideration of the said bill be postponed, and recommended to the attention of the Senate, at the next session of the Legislature.

The message from the House of Representatives informing, that that House have not concurred in the amendment by Senate, on the bill, entitled "An act for the relief of Edward Chisselden," read yesterday, was again read.

Whereupon,

Resolved, That Senate do recede from their said amendment; and

Ordered, That the Clerk acquaint the House of Representatives thereof.

The message from the House of Representatives informing, that that House have not concurred in the amendment by Senate, on the bill, entitled "An act to alter and amend the act, entitled "An act to provide for the settlement of public accounts, and for other purposes therein mentioned," read yesterday, was again read.

Whereupon,

Resolved, That Senate do recede from their said amendment; and

Ordered, That the Clerk acquaint the House of Representatives thereof.

The message from the House of Representatives informing, that that House have not concurred in the amendments by Senate, to the bill, entitled "An act to authorize John Guier, and Dorothy his wife, and Henry Orth, and Adam Henchman, to lease upon perpetual ground rent, certain lots therein mentioned," read yesterday, was again read.

Whereupon,

Resolved, That Senate do not recede from their said amendments; and

Ordered, That the Clerk acquaint the House of Representatives thereof.

On motion,

The Senate resumed the consideration of the bill, entitled "An act to alter and amend the several laws of this Commonwealth, relative to domestic attachments," postponed for the present, on the thirty-first ultimo.

Whereupon,

The question, "*Shall this bill be prepared for the third reading?*" recurring, and being put, was determined in the affirmative.

The bill, entitled "A further supplement to an act, entitled "An act for offering compensation to the Pennsylvania claimants of certain lands in the Seventeen townships, in the county of Luzerne, and for other purposes therein mentioned," was read the second time, as reported by special committee, yesterday.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Richards in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with amendments, which were read as reported.

The bill, entitled "A further supplement to an act, entitled "An act to enable the Governor to incorporate a company, for making an artificial road, by the best and nearest route, from the borough of Sunbury, in the county of Northumberland, to the borough of Reading, in the county of Berks," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Wayne in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with the first section negatived.

Thereupon,

On motion and by special order,

The report of the committee of the whole, on the said bill was considered and adopted, and so the bill was lost.

The Clerk of the House of Representatives informed Senate, that that House do recede from their non-concurrence in the amendment by Senate, to the bill, entitled "An act for extending an act, entitled "An act regulating and continuing the distribution of donation lands."

The bill, entitled "An act to alter and amend an act, entitled "An act for the better support of the public credit, &c." passed April tenth, one thousand seven hundred and eighty-one," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "A further supplement to the act, entitled "An act for laying out, making and keeping in repair the public roads and highways within this Commonwealth, and for laying out private roads," was read the second time, considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act to enable John Edgar and John Galloway, to convey certain town-lots in the town of Mountpleasant," was read the second time, considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act authorizing the Governor, to take conveyances for certain lands, in the counties of Huntingdon and Centre, for the use of the Commonwealth," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with the first section negatived.

On leave given, Mr. Pennell read a bill in his place, and by permission, presented the same to the Chair, entitled "An act authorizing the commissioners of Delaware county, to lay a tax on the owners of dogs," which was read the first time.

The bill, entitled "An act granting a tract of donation land, to the heirs of John Allen," was read the second time, considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "An act granting a sum of money, to the trustees of the Union academy of Doylestown, in the county of Bucks, for the use of said academy," was read the second time, considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

Adjourned till 8 o'clock, P. M.

### *SAME DAY IN THE AFTERNOON.*

Mr. Pennell from the committee to whom, was referred, the "Resolution for the distribution of the Journals in the English language," reported the same in the form of a bill, with other amendments, which were read as reported.

The bill, entitled "An act for the protection of livery-stable-keepers and inn-keepers within this Commonwealth," was read the second time, considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

The bill, entitled "A supplement to the act for establishing the seat of justice in the county district of Tioga," was read the second time, and considered by section.

Section I, being under consideration.

The question, on agreeing thereto, being put, was determined in the negative, and so the bill was lost.

The bill, entitled "An act granting a tract of donation land, to John Light, of the borough of Lancaster," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Richards in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill without amendment.

The bill, entitled "An act granting to Edward Beeby, a tract of donation land," was read the second time, considered by section, and agreed to.

Ordered, That it be prepared for the third reading:

The bill, entitled "An act enjoining certain duties on the officers of the Land-office," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Hart in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill with the first section negatived.

The bill, entitled "An act for the relief of William M'Cormack," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill without amendment.

On motion and by special order,

The bill, entitled "An act for the distribution of the Journals of the General Assembly, in the English language," reported by special committee, this day, was considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

Moved by Mr. Richards and Mr. Wayne,

That Senate resumed the consideration of the resolution from the House of Representatives, relative to the adjournment, postponed for the present, on the thirtieth ultimo.

The question, on the motion, being put, was determined in the negative.

Adjourned till 9 o'clock, to-morrow morning.



*Friday, April 3, 1807.*

Mr. Richards presented the petition of the trustees, elders and wardens of the joint congregations of the German Lutherans and Calvinists, in the town of Hamburg, in the county of Berks, praying, to be enabled to raise by way of lottery a sum of money, not exceeding three thousand dollars, to aid them in erecting a church; and the same was twice read, and referred to Mr. Richards, Mr. Slaymaker and Mr. Mayer, to consider and report thereon, by bill or otherwise.

Mr. Mayer presented the petition of the subscribers thereto, members of the German Lutheran congregation, in Elizabethtown, in the county of Lancaster, praying, to be enabled to raise by way of lottery, three thousand dollars, for the purpose of compleating their church; and the same was twice read, and referred to the committee, above mentioned, to report thereon, by bill or otherwise.

Mr. Vance presented the remonstrance of the subscribers thereto, inhabitants of Donegal, in the county of Lancaster, stating, that they learn with astonishment that petitions have been presented to the Legislature, signed by a number of the inhabitants of Donegal and Mountjoy townships, praying, that the upper part of the former may be annexed to the latter township, for election purposes. The remonstrants state, that very great inconvenience will result should such an alteration be permitted; and the same was twice read, and referred to the committee to whom was referred, on the first instant, the bill, entitled, "An act for the further establishment and regulation of election districts."

The bill, entitled "An act to alter and amend the several laws of this Commonwealth, relative to the domestic attachments," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act granting Edward Beeby, a tract of donation land," was read the third time.

Whereupon,

After debate,

A motion was made by Mr. Wayne and Mr. M'Arthur, and

Agreed, That the said bill be postponed, and recommended to the attention of Senate, at their next session.

The bill, entitled "An act for the protection of livery-stable-keepers, and inn-keepers within this Commonwealth," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act granting a sum of money, to the Union academy of Doylestown, in the county of Bucks, for the use of said academy," was read the third time.

Whereupon,

The Yeas and Nays, on the question, "*Shall this bill pass?*" were required by Mr. Pennell and Mr. Rahm, and, on the question, being put, the Members voted as follow, to wit:

YEAS.

1. Mr. Brady,
2. Mr. Dorsey,
3. Mr. Harris,
4. Mr. Hart,
5. Mr. Heister,
6. Mr. Laird,
7. Mr. Lattimore,

YEAS.

8. Mr. Martin,
9. Mr. Mayer,
10. Mr. M'Arthur,
11. Mr. Miller,
12. Mr. Richards,
13. Mr. Slaymaker,
14. Mr. Sommer,

## YEAS.

15. Mr. Spangler,

16. Mr. Vance,

## NAYS.

1. Mr. Pennell,

2. Mr. Rahm,

## YEAS.

17. Mr. Wayne.

## NAYS.

3. Mr. Lane, *Speaker*.

Seventeen Yeas and three Nays, by which it appeared that the question was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act granting a tract of donation land, to the heirs of John Allen," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act to enable John Edgar and John Galloway, to convey certain town-lots in the town of Mountpleasant," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The Clerk of the House of Representatives presented for signature, the bills entitled as follow, to wit:

1. "An act vacating a part of the Old York-road, and authorizing the court of quarter sessions of Montgomery county, to direct a new road, to be laid out in place thereof."

2. "An act to enable David Mahon, John Simpson and others, to restore a stream of water, in the neighbourhood of Shippensburg, in the county of

Cumberland, to its ancient course, and for other purposes therein mentioned."

3. "An act for the inspection of hogslard, intended for exportation."

4. "An act vesting a title to sixty acres of land, in Mahonoy township, Northumberland county, in certain trustees and their successors, for the benefit of a gregation composed of Presbyterians and Lutherans."

5. "An act making an appropriation for improving the navigation of Le Bœuff and French creeks, from Waterford, to the south line of Erie county."

6. "An act for the relief of Edward Chisselden."

7. "An act authorizing certain persons, to sell and convey a tract of land, the property of West-Calm township, in the county of Chester."

8. "An act appropriating a sum of money, for laying out and opening a State-road, from Logans Narrows, in the county of Huntingdon, to the State-road leading to Presqu'isle."

9. "An act to enable the Governor to incorporate a company, to make an artificial road from the courthouse, in the borough of Gettysburg, through Petersburg, to the Maryland line, near Biddle's mill."

10. "A supplement to an act, entitled "An act for the relief and support of insolvent debtors."

11. "An act extending the width of Wharf-street, and regulating the wharves within the district of Southwark."

12. "An act enjoining certain duties on the judges of the supreme court."

13. "An act to alter and amend the act, entitled "An act to provide for the settlement of public accounts, and for other purposes therein mentioned."

And he presented for concurrence, two bills, entitled as follow, to wit :

1. "An act to authorize the Governor to incorporate a company, for erecting a bridge over the river Susquehanna, at the falls of Nescopeck, in the county of Luzerne."

2. "An act to authorize the Governor to incorporate a company, for erecting a bridge over the river Susquehanna, at the borough of Wilkesbarre, in the county of Luzerne."

Which were severally read the first time.

The bills presented for signature, were signed by the Speaker.

The bill, entitled "An act for the distribution of the Journals in the English language," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The amendments are—

1. Instead of a resolution as adopted by the House of Representatives, give it the form of a bill, and correct the enacting clause accordingly.

2. Introduce a new section, providing for the surplus copies of the laws, now in the Secretary's office, for the distribution, of which there is no provision by the act of sixth April, one thousand eight hundred and two.

The bill, entitled "A further supplement to the act, entitled "An act for laying out, making and keeping in repair the public roads and highways within this Commonwealth, and for laying out private roads," was read the third time.

Whereupon,

A motion was made by Mr. Miller and Mr. Wayne, to postpone the further consideration of the said bill, and recommend it to the attention of the Senate, at the next session of the Legislature.

Which was agreed to.

The bill, entitled "An act to alter and amend an act, entitled "An act for the better support of the

public credit, &c." passed the tenth of April, one thousand seven hundred and eighty-one," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act granting a tract of donation land to John Light, of the borough of Lancaster," as reported by committee of the whole, yesterday, was considered by section.

Section I, being under consideration.

The question on agreeing thereto, being put, was determined in the negative, and so the bill was lost.

The bill, entitled "An act for the relief of William M'Cormack," as reported by committee of the whole, yesterday, was considered by section.

Section I, being under consideration.

The question, on agreeing thereto, being put, was determined in the negative, and so the bill was lost.

The bill, entitled "A supplement to an act, entitled "An act to regulate arbitrations and proceedings in courts of justice," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Richards in the Chair) for the further consideration thereof; and

After some time,

The committee rose, reported progress, and had leave to sit again to-morrow.

The bill, entitled "An act authorizing the commissioners of Delaware county, to lay a tax on the owners of dogs," was read the second time, considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

On motion of Mr. Brady and Mr. Vance, (who voted with the majority)

Agreed, That the question, decided yesterday, (which negatived the first section) on the bill, entitled "An act concerning strays," be reconsidered.

Whereupon,

Section I, being again under consideration.

A motion was made by Mr. Hart and Mr. Wayne, to confine the provisions of the section, to the counties of Philadelphia, Bucks, Chester, Lancaster, Northampton, Wayne and Delaware.

Which was agreed to.

The section as amended was adopted.

Section II, was agreed to.

Section III, being under consideration.

A motion was made by Mr. Wayne and Mr. Hart, to add a proviso, to the end of the section, "in case the valuation of damages, should exceed the jurisdiction of a justice, the same shall be cognizable by the courts, &c."

Which was agreed to.

On motion of Mr. Sommer and Mr. Laird,

The section was further amended, by inserting in line 14, the words "sufficiency of the" (relative to fences.)

The section as amended was adopted.

Section IV, being under consideration.

A motion was made by Mr. Hart and Mr. Sommer, to amend the section, by striking out the provision for advertising strays, at the court-house-door, and giving information to the county rangers.

Which was agreed to, and the section as amended adopted.

The remaining sections with some verbal amendments, being agreed to.

Ordered, That the said bill be prepared for the third reading.

Mr. Richards from the committee to whom, was this day, referred the petition of the trustees, elders and wardens of the joint congregations of German Lutherans and Calvinists, of Hamburg, in the county

of Berks, on leave then given, reported the bill, entitled "An act to raise by way of lottery a sum of money, for the purpose of erecting a house of worship, for the use of the joint Lutheran and Calvinist congregations, in the town of Hamburg, and county of Berks," which was read the first time.

The report of the committee on the subject of weights and measures, read on the first instant, was again read, and

Being under consideration.

A motion was made by Pennell and Mr. Dorsey, to postpone the same, and recommend it to the attention of Senate, at their next session.

Which was agreed to.

The resolution directing the Clerk to state the business, which may be left unfinished, at the end of the session, and enter the same on the Journal, read on the twenty-seventh ultimo, was again read, considered and adopted.

The Clerk of the House of Representatives presented for signature, the bills, entitled as follow, to wit:

1. "An act granting a sum of money, to the trustees of the Union academy of Doylestown, in the county of Bucks, for the use of said academy."

2. "An act to enable John Edgar and John Gallo-way, to convey certain town lots, in the town of Mountpleasant."

3. "An act for the protection of livery-stable-keepers and inn-keepers, within this Commonwealth."

4. "An act to alter and amend the several laws of this Commonwealth, relative to domestic attachments."

5. "An act granting a tract of donation land, to the heirs of John Allen."

6. "An act to alter and amend an act, entitled "An act for the better support of the public credit, &c." passed the tenth day of April, one thousand seven hundred and eighty-one."

Also "A Resolution for the distribution of the Journals in the German language."



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Whereupon,  
The Speaker signed the said bills and resolution  
Mr. Wayne asked and obtained leave of absence  
the remainder of the session.  
Adjourned till 4 o'clock, P. M.

## SAME DAY IN THE AFTERNOON.

The bill, entitled "An act making appropriation  
for the improvement of sundry roads," was read the  
second time.

Whereupon,  
The Senate resolved itself into committee of the  
whole, (Mr. Hart in the Chair) for the further con-  
sideration thereof; and  
After some time,  
The committee rose,  
out amendment.

The Clerk of the House of Representatives informed  
Senate, that that House have non-concurred the amend-  
ment by Senate, on the bill, entitled "A supplement  
to the act, entitled "An act to erect Somerset-town  
in the county of Somerset, into a borough."  
But that they have concurred the amendment by  
Senate, to the bill, entitled "An act to provide for  
the erection of a poor-house, in the townships of Oxford  
employment of the poor, in the county of Philadelphia,"  
and Lower Dublin, in the county of Philadelphia,"  
with one amendment thereto, in which the concurrence  
of Senate is requested.

And he returned the bills, entitled as follow, to wit :  
1. "An act to raise by way of lottery, a sum not  
exceeding three thousand dollars, to enable the inha-  
bitants of the borough of York, to bring in a stream  
of water, to supply their fire-engines, and for other  
purposes."

2. "An act authorizing the President of the United  
States, to open a road through that part of this State  
lying between Cumberland, in the State of Maryland  
and the Ohio river."

3. "An act making appropriations for certain roads therein mentioned, and also for improving the navigation of the river Schuylkill."

And informed that the House of Representatives have passed the two former without amendment, and the latter with amendments, in which the concurrence of the Senate is requested.

The amendments by the House of Representatives, on the bill, entitled "An act making appropriations for certain roads therein mentioned, and also for improving the navigation of the river Schuylkill," were read as follow, to wit :

Section I, Strike out from the word "that" in line 4, to the end of the section and insert in lieu thereof as follows: "the sum of five thousand seven hundred dollars be, and the same is hereby appropriated, for the purpose of improving the State-roads, in the counties of Franklin, Bedford, Somerset, Westmoreland and Fayette, as follows; For the purpose of improving the State and stage-roads, in the county of Franklin, six hundred dollars; for improving the State-roads in Bedford county, fifteen hundred dollars; for improving the State-roads in Somerset county, fifteen hundred dollars; for improving the State-roads in Westmoreland county, fourteen hundred dollars, that is to say; for improving the Pennsylvania State-road, from the Somerset county line on the Laurel-hill, to the nine-mile run on the west side of Chesnut-ridge, six hundred dollars; for improving the Glade State-road from William Backhouse's tavern, on the top of Laurel-hill to Arnfriedt's tavern, at the Forks of the Pittsburg and Washington road, six hundred dollars; for improving the said road from the said Arnfriedt's to Lobinger's mill, one hundred dollars; for improving the Pittsburg road from the said Arnfriedt's to William Golden's tavern, at the foot of Chesnut-ridge, one hundred dollars; for improving the State road in Fayette county, that leads from Connelstown to Somerset, seven hundred dollars; to be paid on warrants

drawn by the Governor out of any unappropriated monies in the State-treasury to the commissioners of Franklin, Bedford, Somerset, Westmoreland and Fayette counties, in such proportions as the said counties are hereby entitled, to the same, respectively; and three hundred dollars, to be appropriated to that part of the road which lies between the Burnt Cabbins and Bedford Furnace, commonly called, the "Shades of Death," in the county of Huntingdon."

Section II, Line 2, between the words "of Somerset" insert "Franklin, Bedford, Huntingdon" and in same line strike out the word "and"

Line 3, after the word "Westmoreland" insert "and Fayette"

Section III. Line 2, make "ten" read "nine"

Line 5, after the word "Schuylkill" insert "and ten hundred dollars for improving the navigation Little Schuylkill from Haas' mill to Locust creek," and the Governor is hereby directed, as soon as the money shall have been paid into the State-treasury, out of the money of the estate of John Nicholson, to draw his warrant on the State-treasurer in favor of the commissioners, hereinafter named for the sums appropriated by this act.

Add new sections to be numbered IV, V, VI, VII, VIII and IX, as follow, to wit:

Section IV. *And be it further enacted by the authority aforesaid,* That the further sum of eight thousand dollars, of the monies due to this State, from the estate of John Nicholson, deceased, prior appropriations in this act, being first satisfied, be and the same is hereby appropriated for the following purposes, viz. Four thousand dollars for improving the navigation of the Susquehanna, from Columbia to the mouth of Juniata; five hundred dollars to improve the navigation of the Juniata, from its mouth to the mouth of Kishecoquilis: Twenty-five hundred dollars for improving the State-road from Beula to Pittsburg; and one thousand dollars, for improving the navigation of the Bald-eagle creek, from its mouth to the town of Milesburg, in Centre county.

Section V. *And be it further enacted by the authority aforesaid,* That when the monies due from the estate of the said John Nicholson, to this Commonwealth, or so much thereof, after prior appropriations are satisfied, as is by this act appropriated, shall have been paid into the State-treasury, the Governor may, and he is hereby authorized, to draw his warrant on the State-treasurer for four thousand dollars, in favor of John Haldiman, Thomas Boude, and Alexander Boggs, for improving the navigation of Susquehanna, from Columbia, to the mouth of Juniata; a similar warrant for five hundred dollars, in favor of George M'Clelland, John Gallespie and John Brown, for improving the navigation of the river Juniata, from its mouth to the mouth of Kishicoquillis: similar warrants as follow, to wit: For eight hundred dollars in favor of the commissioners of Cambria county; for one thousand dollars, in favor of the commissioners of Indiana county; and for seven hundred dollars in favor of the commissioners of Westmoreland county, to be expended in their respective counties, for improving the State-road from Beula to Pittsburg; and a similar warrant for one thousand dollars, in favor of James Smith, John Dunlap and Roland Austin, for improving the navigation of Bald-eagle creek, from its mouth to Milesburg, in Centre county, and the persons in whose favor the aforesaid warrants shall be drawn, are hereby authorized, to lay out the monies by them respectively drawn, in improving the navigation of the several streams and roads, for the improvement whereof, the sums aforesaid have been appropriated, and the accounts of the said persons respectively, shall be settled annually by the auditors of the proper county, and no money shall be paid until the said persons respectively shall enter into bond and surety to the Governor, faithfully to appropriate and account for the said monies.

Section VI. *And be it further enacted by the authority aforesaid,* That the sum of one thousand dollars

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be, and the same is hereby appropriated for the improvement of the road, in the county of Northumberland, leading from Sunbury towards Harrisburg, through the Narrows, immediately below Shemoken creek, down the river Susquehanna to Wiggins's run; and that the further sum of one thousand dollars be, and the same is hereby appropriated for the improvement of that part of the Tulpehocken road, from Michael Ort's, over the Broad mountain, in the county of Berks, to Big Swatara creek, where said road crosses said creek; the above sums to be paid on warrants, to be drawn by the Governor, out of any unappropriated monies in the State-treasury, to the commissioners of Northumberland and Berks counties, in such proportions as the said counties are hereby entitled to respectively; and that the commissioners of the counties of Northumberland and Berks respectively be, and they are hereby authorized, and required to apply the several sums of money, appropriated by this section, for the improvement of the aforesaid roads, in such manner as they shall judge most advantageous and necessary, to the improvement of the said roads, and shall exhibit a statement of their accounts and disbursements of the sums of money aforesaid, to the county auditors of their respective counties, who shall settle and adjust the same in like manner, as the accounts of county commissioners, are in other cases settled and adjusted.

Section VII. *And be it further enacted by the authority aforesaid,* That the sum of one thousand five hundred dollars be, and the same is hereby appropriated for the improvement of the road, commonly called the North and South road, from Jacob Lerner's, at the Pocono mountain, to the Gap of the Moosic mountain, where it intersects the Coshecton turnpike and from thence to the north line of this State as it was originally opened; which sum shall be paid out of any unappropriated monies in the treasury on a warrant to be drawn by the Governor.

Section VIII. *And be it further enacted by the authority aforesaid,* That Nicholas Kern and Theodore Woodbridge, be, and they are hereby appointed commissioners for the purpose of applying the sum of money by this act appropriated, for the improvement of the North and South road, which said commissioners shall exhibit a statement of their accounts to the county auditors of Wayne and Northampton counties, who shall settle and adjust the same in like manner, and upon the same terms as the accounts of county commissioners of the said counties, are settled and adjusted.

Section IX. *And be it further enacted by the authority aforesaid,* That the sum of one thousand dollars, be appropriated, to improve the navigation of the river Ohio, from Pittsburg to the western boundary line of the State: to be paid to the commissioners of Allegheny and Beaver counties, to be paid on warrants drawn by the Governor on the treasurer of this Commonwealth.

Amend the title so as to read as follows: "An act making appropriations for certain roads therein mentioned, and also for improving the navigation of certain rivers."

The amendment by the House of Representatives, to the amendment by Senate, to the bill, entitled "An act to provide for the erection of a poor-house, for the better employment and support of the poor, in the townships of Oxford and Lower Dublin, in the county of Philadelphia," was read as follows, to wit:

In the amendment by Senate, make "freeholder" read "citizen"

Whereupon,

Resolved, That Senate concur therein; and

Ordered, That the Clerk acquaint the House of Representatives thereof.

On motion, and by unanimous consent,

The bill, entitled "An act authorizing the commissioners of Delaware county, to lay a tax on the owners of dogs," was read the third time.

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Whereupon, The question, "Shall this bill pass?" being determined in the affirmative. Ordered, That it be presented to the House presentatives for concurrence.

Moved by Mr. Brady and Mr. Miller, That Senate resume the consideration of the bill, relative to the adjournment of the Legislature. Whereupon, The Yeas and Nays, on the motion, were quired by Mr. Brady and Mr. Pennell, and, on the question, being put, the Members voted as follows:

## YEAS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Lattimore,
4. Mr. Mayer,
5. Mr. Miller,

## NAYS.

1. Mr. Hart,
2. Mr. Heister,
3. Mr. Laird,
4. Mr. Martin,
5. Mr. M'Arthur,

Nine Yeas and ten Nays, by which it appeared that the question was determined in the negative. The bill, entitled "An act to enforce the collection and settlement of tavern licences, militia exempt fines, and for other purposes therein mentioned," was read the third time.

Whereupon, On motion, and by unanimous consent, The following amendments were made therein, to wit: Transpose section V, to become section I, and amend it by striking out "the proper officers of the department of accounts" and insert in place thereof "the Comptroller and Register-generals" and

## YEAS.

6. Mr. Richards,
7. Mr. Slaymaker,
8. Mr. Sommer,
9. Mr. Wayne,

## NAYS.

6. Mr. Pennell,
7. Mr. Rahm,
8. Mr. Spangler,
9. Mr. Vance,
10. Mr. Lane, Speaker.

Thereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the same with amendments, in which the concurrence of the House of Representatives is requested.

(The amendments are as before with one verbal amendment.)

The bill, entitled "A further supplement to an act, entitled "An act for offering compensation to the Pennsylvania claimants of certain lands in the Seventeen townships, in the county of Luzerne, and for other purposes therein mentioned," as reported by committee of the whole, yesterday, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

Mr. Hart from the committee appointed for that purpose, made report:

That the committee in conjunction with the committee of the House of Representatives, have, this day, presented to the Governor, for his approbation the bills and resolution, entitled as follow:

1. "A supplement to the act, entitled "An act for the relief and support of insolvent debtors."

2. "An act for the relief of Edward Chisselden."

3. "An act vesting a title to sixty acres of land, in Mahonoy township, Northumberland county, in certain trustees and their successors, for the benefit of a congregation composed of Presbyterians and Lutherans."

4. "An act authorizing certain persons, to sell and convey a tract of land, the property of West-Calm township, in the county of Chester."

5. "An act appropriating a sum of money, for laying out and opening a State-road, from Logan's Narrows, in the county of Huntingdon, to the State-road leading to Presqu'isle."

6. "An act vacating a part of the Old York-road, and authorizing the court of quarter sessions of Mont-



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gomery county, to direct a new road to  
in place thereof."

7. "An act to enable David Mahon, John  
and others, to restore a stream of water  
neighbourhood of Shippensburg, in the county  
Cumberland, to its ancient course, and for other  
poses therein mentioned."

8. "An act extending the width of Wharfedale  
and regulating the wharves within the district of  
work."

9. "An act to enable the Governor to incorporate  
a company, to make an artificial road from the county  
house, in the borough of Gettysburg, through Peter-  
burg, to the Maryland line, near Biddle's mill."

10. "An act enjoining certain duties on the judges  
of the supreme court."

11. "An act making an appropriation for improving  
for exportation."

12. "An act making an appropriation for improving  
the navigation of Le Boeuff and French creeks, from  
Waterford, to the south line of Erie county."

13. "An act to alter and amend an act, entitled "An  
act to provide for the settlement of public accounts,  
and for other purposes therein mentioned."

14. "An act to enable John Edgar and John Gallo-  
way, to convey certain town-lots, in the town of  
Mountpleasant."

15. "An act to alter and amend an act, entitled  
"An act for the better support of the public credit,  
&c." passed the tenth day of April, one thousand seven  
hundred and eighty-one."

16. "An act granting a sum of money, to the trust-  
ees of the Union academy of Doylestown, in the county  
of Bucks, for the use of said academy."

17. "An act granting a tract of donation land, to  
the heirs of John Allen."

18. "An act for the protection of livery-stable-  
keepers and inn-keepers within this Commonwealth."

19. "An act to alter and amend the several laws of this Commonwealth, relative to domestic attachments."

20. "A Resolution relative to the distribution of the Journals in the German language."

Adjourned till 9 o'clock, to-morrow morning.

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*Saturday, April 4, 1807.*

Mr. Mayer from the committee to whom, was yesterday referred, the petition of the subscribers thereto, members of the German Lutheran congregation, in Elizabethtown, in the county of Lancaster, on leave then given, reported the bill, entitled "An act to raise by way of lottery a sum of money, to defray the expences incurred by the trustees of the German Lutheran congregation, in and near the village of Elizabethtown, in the county of Lancaster;" which was read the first time.

The bill, entitled "An act concerning strays," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence of that House is requested.

[*For the amendments, see Journal of yesterday.*]

The bill, entitled "A further supplement to an act, entitled "An act offering compensation to Pennsylvania claimants of certain lands in the Seventeen townships, in the county of Luzerne, and for other purposes therein mentioned," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence of that House is requested.

The amendments, except one verbal amendment in section III, are, as follow, to wit:

Section IV, line 6, insert "acquired by warrant and survey prior to the twenty-eight March, one thousand seven hundred and eighty-seven."

Add a new section as follows, to wit:

"Section V. *And be it further enacted by the authority aforesaid;* That the commissioners shall cause a new survey, to be made of the first division of lots in the first tier of land, in the township of Newport, being one of the aforesaid Fifteen townships, according to a survey of the same lots, made by William Montgomery, junior, under the authority of the State, in the year one thousand seven hundred and eighty-seven, and the same transmit to the Land-office, and the Secretary thereof, in-issuing patents to the Connecticut claimants, for such lots, in virtue of any certificates from said commissioners, shall issue them in conformity to said new survey, and the said Connecticut claimants shall hold their land accordingly."

On motion,

The further consideration in committee of the whole, of the bill, entitled "A supplement to an act, entitled "An act to regulate arbitrations and proceedings in courts of justice," was postponed for the present.

The Secretary of the Commonwealth, presented two several messages from the Governor, which were read as follow, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I HAVE, this day, approved and signed the following acts of the General Assembly, and directed the same, to be returned to the House of Representatives, in which they originated, to wit:

1. "An act to authorize the Secretary of the Land-office, to sign patents for land and land warrants."

2. "An act to raise by way of lottery a sum of money, to defray the expences incurred by the trustees of the German Lutheran congregation, in and near the borough of Lancaster."

3. "A supplement to an act, entitled "An act to enable the Governor of this Commonwealth, to incorporate a company, for making an artificial road, from Lancaster through Elizabeth-town, to Middletown."

4. "A supplement to an act, entitled "An act directing the mode of selecting and returning jurors."

5. "An act for exploring and making a road from the point, where the Coshecton and Greatbent turnpike, passes through Moosic mountain, in a western direction, to the west line of the State."

6. "An act authorizing the court of quarter sessions of Butler county, to direct a review of that part of the State-road leading from Blairs-gap, to the western boundary of the State, which lies between the twenty-fourth and twenty-seventh mile trees."

7. "An act to enable Henry Hawkins, guardians of Maria Bicker, to sell certain real estate belonging to the said Maria."

8. "An act to enable Samuel Jackson, of Allegheny county, to sell and convey certain lands, therein mentioned."

9. "An act imposing certain penalties upon persons defrauding incorporated turnpike companies, of their legal tolls, and also upon gate-keepers, for demanding or receiving in advance greater tolls than in proportion to the distance travelled."

10. "An act to enable Edward Tilghman, junior, in behalf of his wife, Rebecca Tilghman, and the guardians of Ann Wala, Rebecca Wharton and Susan Wharton, minors, to make partition of certain lands, belonging to them and others, as tenants in common."

11. "An act for the removal of the powder magazine from the city of Philadelphia."

12. "A further supplement to the penal laws of this State."

13. "An act for the relief of John Rybecker."

14. "An act to authorize the sale and conveyance of the real estate of Philip Nicklin, by his surviving partner and legal representatives."

15. "An act to annul the marriage of James Isaac Thomas Marshall, and Martha Marshall."

THOMAS M'KEAN.

*Lancaster, April 4, 1807.*

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I HAVE considered the bill, entitled "An act to extend the right of peremptory challenge to cases not hitherto provided for," and, as I do not approve it, have directed it to be returned to the Senate, in which it originated, with the following objections:

1. Because, a distinction was early taken between capital and other offenders: With respect to the former, the community were principally interested, in the latter the injured individual. On a conviction for a capital crime the prisoner forfeited life and estate; the humanity of the laws therefore indulged the accused in challenging twenty of his jurors peremptorily, but, in case of misdemeanors, it has been the wisdom of ages to be impartial between the accuser and the accused.

2. Because, this bill makes a great innovation in the administration of justice, and therefore, as an experiment, ought to have been limited in its duration, but it is perpetual.

3. Because, it would necessarily tend to multiply jurymen, to their private injury, and to the prejudice of the public economy, to the increase of the public expence, and to the great delay of the administration of justice.

4. Because, it would have an *expost facto* effect and would operate on indictments now depending in the

courts. The privilege, in the case of misdemeanors, to be just, ought to be reciprocal. It does not accord with my ideas of justice, that the assassin of public character, or private reputation, should have rights conferred on him, which are withheld from the injured and innocent victim, of his malice and revenge. Such a law would seem to me to be at war with that salutary and virtuous provision by which the people of Pennsylvania has wisely placed the good name and fame of all her citizens, under the safeguard of the Constitution. I deprecate the idea of mingling party passions or prejudices with the administration of justice.

THOMAS M'KEAN.

*Lancaster, April 4, 1807.*

Whereupon,

Agreeably to the Constitution in such cases, the Senate proceeded to the re-consideration of the bill, entitled "An act to extend the right of peremptory challenge to cases not hitherto provided for," together with the Governor's objections thereto; and

After some time,

On motion,

The further consideration thereof, was postponed and Monday next, assigned for that purpose.

The bill, entitled "An act to authorize the Governor to incorporate a company, for erecting a bridge over the river Susquehanna, at the borough of Wilkesbarre, in the county of Luzerne," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Brady in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill without amendment.

The bill, entitled "An act to authorize the Governor to incorporate a company, for erecting a bridge over the river Susquehanna, at the falls of Nesco-

peck, in the county of Luzerne," was read the second time.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Pennell in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill without amendment.

Thereupon,

On motion and by special order,

The said bill as reported by committee of the whole, was considered by section and agreed to.

v. Ordered, That it be prepared for the third reading.

Adjourned till 3 o'clock, P. M.

#### *SAME DAY IN THE AFTERNOON.*

The Speaker laid before the Senate the following report from the Secretary of the Commonwealth, together with the documents therein referred to, to wit:

"In pursuance of the directions of the second section of the act, entitled "An act to encourage the patenting of lands, and for other purposes," passed April fourth, one thousand eight hundred and five; the Secretary of the Commonwealth, respectfully reports to the Legislature: That on the fifth of January last, the late treasurer exhibited to the Governor a statement of the monies, received in payment for lands, in the preceeding year, amounting to fifty-one thousand nine hundred and sixty-six dollars fourteen cents, (exclusive of the fees received from the several Land-officers, during said period.) On the twelfth of the same month, and also on the sixth ultimo, the Comptroller-general by the Governor's directions, wrote to Matthew M'Connell, esquire, one of the principal brokers in Philadelphia, for the purpose of ascertaining the price of the different species of United States stock, and bank stocks, and it appearing from the in-

information furnished by him, that stock to any considerable amount could not be advantageously purchased in the public market, the Governor was of opinion, it would be most for the advantage of the State, to invest twenty-five thousand dollars (being one half of the above mentioned sum within a fraction) in Philadelphia bank stock, at par, in part of the privilege, reserved to the State, of subscribing two hundred thousand dollars in said stock, at par, by the act, entitled "An act to extend the charter of the Philadelphia bank." Accordingly application was made for that purpose, to the president of the Philadelphia bank, and the twenty-five thousand dollars duly invested in said stock.

Copies of the treasurer's statement, and of Matthew M'Connell's letters are herewith submitted.

T. M. THOMPSON, *Secretary.*

*Secretary's Office, April 4, 1807.*

The Speaker also laid before Senate a letter from the Secretary of the Commonwealth, informing, that he had transmitted to the House of Representatives, sundry depositions and other documents in the case of Thomas Tiffany, a justice of the peace of Luzerne county, in pursuance of the act, respecting complaints against justices of the peace; and the same was read, and

Laid upon the table.

The message from the House of Representatives informing, that that House have not concurred in the amendment by Senate, on the bill, entitled: "A supplement to an act, entitled "An act to erect Somerset-town, in the county of Somerset, into a borough," read yesterday, was again read.

Whereupon,

Resolved, That Senate do recede from their said amendment; and

Ordered, That the Clerk acquaint the House of Representatives thereof.

The bill, entitled "An act to authorize the Governor to incorporate a company, for erecting a bridge



over the river Susquehanna, at the borough of Wilkesbarre, in the county of Luzerne," as reported by committee of the whole, this day, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The Clerk of the House of Representatives presented for concurrence a "Resolution for furnishing the Members of the present Legislature with one copy, each of the laws passed during the present session."

The bill, entitled "An act to raise by way of lottery a sum of money, for the purpose of erecting a house of worship, for the use of the Lutheran and Calvinist congregations, in the town of Hamburg, in the county of Berks," was read the second time, and considered by section.

Sections I, II and III, were severally agreed to.

Moved by Mr. Hart and Mr. Pennell,

To insert a new section, to be called section IV.

To authorize the raising of three thousand dollars, also by lottery for the use of the Presbyterian congregation, in the borough of Pittsburg.

Which was agreed to.

The title being amended, so as to correspond with the foregoing amendment, and agreed to.

Ordered, That the said bill be prepared for the third reading.

Adjourned till 9 o'clock, Monday morning.

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*Monday, April 6, 1807.*

Mr. Sommer presented the petition of Edmund Mihe, stating, that at the last session of the General Assembly, an act was passed compensating him for the principal only, of his claim on the State, for one hundred and eighty-five barrels of flour, supplied the army in the year one thousand seven hundred and eighty; he therefore prays, that the interest thereon, may be allowed

him ; and the same was twice read, and referred to Mr. Sommer, Mr. Hart and Mr. Pennell, to consider and report thereon.

Mr. Richards presented the petition of the subscribers thereto, inhabitants of the Commonwealth ; stating, the high importance of the road from Pocono mountain, to the north line of this State, which was opened in one thousand seven hundred and eighty-seven, and one thousand seven hundred and eighty-eight, commonly called the North and South road, and soliciting the Legislature, to direct such measures, to be adopted as will realize to the Commonwealth, the great advantages which the said road, if put into proper order may produce ; and the same was read, and

Laid upon the table.

Mr. Laird from the committee to whom was referred, on the sixteenth ultimo, the petition of the subscribers thereto, inhabitants of Derry township, in Northumberland county, made report, which was read as follows, to wit :

That they have had the same under consideration, and are of opinion, that it would be inexpedient, to make any alteration in said election district, at this time, therefore offer the following resolution :

Resolved, That the object prayed for by the petitioners, be recommended to the special attention of the next Legislature.

Mr. Harris from the committee to whom, was referred, on the first instant, the bill, entitled " An act for the further establishment and regulation of election districts," reported the bill with amendments, which were read as reported.

Mr. Hart from the committee of accounts, made further report, in part, which was read as follows, to wit :

That they have examined the accounts of George Bryan, Clerk of the Senate, and find that he has disbursed the sum of three dollars, and ninety-two cents, beyond the monies placed in his hands, for the contingent and other expences of Senate.

The following is an abstract of the accounts of the Clerk.

Paid for books, per order of Senate of twenty-seventh January, viz.

|                   | <i>Dolls. Cts.</i> |        |
|-------------------|--------------------|--------|
| John Conrad & Co. | 31 50              |        |
| B. Hopkins & Co.  | 8                  |        |
| W. Duane          | 14                 |        |
| John Conrad & Co. | 25                 |        |
| W. Dickson        | 313 75             |        |
|                   | <hr/>              | 392 25 |

Paid for stationary, viz.

|            |       |       |
|------------|-------|-------|
| W. Dickson | 79 69 |       |
| T. Dobson  | 6     |       |
|            | <hr/> | 85 69 |

|                                          |                     |        |
|------------------------------------------|---------------------|--------|
| Paid for wood and sawing                 | 38 12 $\frac{1}{2}$ |        |
| Paid for newspapers                      | 22 13               |        |
| Paid for binding books                   | 28 47 $\frac{1}{2}$ |        |
| Paid sundry small accounts, per receipts | 19 25               |        |
|                                          | <hr/>               | 505 92 |

|                                                                                              |       |     |
|----------------------------------------------------------------------------------------------|-------|-----|
| 1807. <i>January</i> 14, Paid W. Greear, for printing index to the Journal session of 1804-5 | 32    |     |
| <i>March</i> , Paid W. Dickson, for ditto for 1802-3, and 1803-4,                            | 73    |     |
| <i>April</i> 2, Paid John Burnside, for ditto 1801-2, and 1805-6                             | 73    |     |
|                                                                                              | <hr/> | 178 |

|                                                                      |       |     |
|----------------------------------------------------------------------|-------|-----|
| <i>Feb.</i> 26, Paid W. Greear, on account of bills                  | 100   |     |
| <i>March</i> 9, Paid John Burnside, on account of Journal in English | 300   |     |
| <i>April</i> 3, Paid H. Grimler, on account of ditto, in German      | 240   |     |
|                                                                      | <hr/> | 818 |

*Dollars* 1403 92

|                                        |       |   |        |
|----------------------------------------|-------|---|--------|
| Amount of warrant issued to the Clerk, |       |   |        |
| January 16, 1807                       | -     | - | \$ 600 |
| Amount of ditto                        | ditto | - | -      |
| February 26, 1807                      | -     | - | 800    |
|                                        |       |   | <hr/>  |
|                                        |       |   | 1400   |
|                                        |       |   | <hr/>  |

Balance due the Clerk - 3 92

The bill, entitled "An act to authorize the Governor to incorporate a company, for erecting a bridge over the river Susquehanna, at the borough of Wilkesbarre, in the county of Luzerne," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act to authorize the Governor to incorporate a company, for erecting a bridge over the river Susquehanna, at the falls of Nescopeck, in the county of Luzerne," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill entitled "An act to raise by way of lottery six thousand dollars for building a church for the joint congregations of the German Lutherans and Calvinists, in the town of Hamburg, in the county of Berks, and for completing the Presbyterian church in Pittsburg," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

Agreeably to order, the Senate resumed the consideration of the bill, entitled "An act to extend the right of peremptory challenge, to cases not hitherto provided for," returned by the Governor with his objections thereto; and

After some time,

The Yeas and Nays on the question, "*Shall this bill pass?*" were taken, and are as follow, to wit:

YEAS.

1. Mr. Dorsey,
2. Mr. Hart,
3. Mr. Heister,
4. Mr. Laird,
5. Mr. Martin,
6. Mr. M'Arthur,

YEAS.

7. Mr. Pennell,
8. Mr. Rahm,
9. Mr. Spangler,
10. Mr. Vance,
11. Mr. Lane, *Speaker.*

NAYS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Lattimore,
4. Mr. Mayer,

NAYS.

5. Mr. Miller,
6. Mr. Richards,
7. Mr. Slaymaker,
8. Mr. Sommer,

Eleven Yeas and eight Nays, by which it appeared (a constitutional majority of the Members present not concurring) that the question was determined in the negative.

The bill, entitled "An act to raise by way of lottery a sum of money to defray the expences incurred by the trustees of the German Lutheran congregation, in and near the village of Elizabethtown, in the county of Lancaster," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

On motion,

The Senate resumed in committee of the whole, (Mr. Richards in the Chair) the consideration of the bill, entitled "A supplement to an act entitled "An act to regulate arbitrations and proceedings in courts of justice," and

After some time, "

The committee rose, reported progress, and had leave to sit again to-morrow.

The Clerk of the House of Representatives presented for concurrence, a "Resolution prohibiting attornies and others from reading in court any precedent or case of law decided in any court, except in some court in the United States."

And he returned the bills, entitled as follow, to wit :

1. "An act to authorize Robert Kennedy, his heirs and assigns, to dig and support a mill race in and adjacent to the river Schuylkill near its falls."

2. "An act erecting a middle district of the supreme court."

And informed, that the House of Representatives have passed the said bills with amendments, in which the concurrence of Senate is requested.

He also informed, that the House of Representatives have concurred in the amendments by Senate, to the bill entitled "A further supplement to an act, entitled "An act for offering compensation to the Pennsylvania claimants of certain lands, in the Seventeen townships, in the county of Luzerne, and for other purposes."

The resolution presented for concurrence was read the first time.

The amendments by the House of Representatives, on the bill, entitled "An act making appropriations for certain roads therein mentioned, and for improving the navigation of the river Schuylkill," read on the third instant, were again read, and considered by paragraph.

The first and second paragraphs were severally disagreed to.

The third paragraph being under consideration.

A motion was made by Mr. Richards and Mr. Heister, to amend the same, by taking from the appropriation to the Little Schuylkill four hundred dollars, for the improvement of the navigation of that branch of the Big Schuylkill, from Morris's iron works to Jacob Stahls mills, which was agreed to.

The paragraph as amended was adopted.

The fourth paragraph being under consideration.

A motion was made by Mr. Sommer and Mr. Slaymaker, to strike out the appropriation (two thousand five hundred dollars) for improving the state road from Beula to Pittsburg.

Which was not agreed to.

The paragraph was not agreed to.

Paragraphs fifth, sixth, seventh and eighth, were also disagreed to.

The ninth paragraph was agreed to.

Whereupon,

Ordered, That the Clerk acquaint the House of Representatives thereof.

The Clerk of the House of Representatives informed Senate, that that House have concurred in the amendment of Senate, on the address to Thomas Jefferson, with one amendment thereto, in which the concurrence of the Senate is requested, which amendment is as follows, to wit:

Introduce at the end of the eighteenth line, the following, viz.

"The enemies to the equal rights of man have perseveringly endeavored, for ages, to impress upon the minds of their fellow men, that a free republican system of government could never be realized, except upon a scale extremely limited in its extent, and temporary in its duration. In aid of this sentiment so degrading to the dignity of man; it is to be regretted that men once high in authority in the government of the United States, have expressed opinions, no less hostile to the principles of equal liberty than disparaging to republican institutions. To the immortal honor of the American character, and the administration of the government, over which you have for several years presided, a practical exposition and refutation of that sentiment has been strikingly, and conclusively exhibited to the world. The happy experiment of the American people has demonstrated, that a free republican government founded on the equal rights of man, is not an utopian and illusive idea, but a practicable and a blessed reality."

304 JOURNAL OF THE SENATE.  
The amendments by the House of Representatives, on the bill, entitled "An act to authorize Robert Kennedy, his heirs and assigns, to dig and support a mill-race in and adjacent to the river Schuylkill, near its falls," were read as follow, to wit:

Section I, line 18, after the word "assigns" insert "at his or their own proper expence"

Line 24, after the word "lock" make the same amendment.

Line 23, after the word "shall" insert "cut through the rock"

Section III, line 6, after the word "recovered" introduce by transposing from line 7, 8 and 9, the following, viz: "in the same manner as debts of a similar amount, are or may be recovered"

Line 7, after the word "appropriated" insert "one moiety" and after the word "township" insert "the other moiety for the use of the person, who shall sue for the same"

Whereupon,

On motion, and by special order,

The said amendments were again read, considered and concurred in.

Ordered, That the Clerk acquaint the House of Representatives thereof.

The amendments by the House of Representatives, on the bill, entitled "An act erecting a middle district of the supreme court," were read as follow, to wit:

Section I, line 3, strike out the words "Carlisle" and "Cumberland" and insert in place of the former "Sundbury" and of the latter "Northumberland"

Section V, lines 3 and 13, strike out the word "next" and insert "Anno Domini, 1808."

Section VI, line 2, make the same amendment.

After section VII, introduce two new sections, the first called section VIII, providing that the last Monday of July hereafter shall be a common day of return for the supreme court of the Eastern district, &c.



And the second called section IX.

That the first supreme court to be held at Sunbury, shall commence on the first Monday of July, Anno Domini, 1808.

Number the remaining section accordingly, and add to the title "and for other purposes."

Moved by Mr. Pennell and Mr. Hart,

Resolved, That the Secretary of the Commonwealth, be, and he is hereby required, to lay before the Senate, a list of all the appointments of officers, made by the Governor, from the twenty-eighth of March, one thousand eighth hundred and six, up to this period, with the date of their commissioners, and the names of their sureties, as well those who are appointed for general, as those who are appointed for special purposes.

Ordered, to lye upon the table.

On motion of Mr. Hart and Mr. Sommer,

The following resolution was twice read, considered and adopted.

Resolved, That the Speaker draw his warrant on the State-treasurer, for one hundred dollars, in favor of William Greear, printer of the bills; and for three hundred dollars, in favor of John Burnside, for printing the Journal of Senate, in the English language, they to account for the same.

Whereupon,

Warrants were accordingly so drawn,

Adjourned till 4 o'clock, P. M.

### *SAME DAY IN THE AFTERNOON.*

The Clerk of the House of Representatives informed Senate, that the House of Representatives have not concurred in the amendments by Senate, to the bills, entitled as follow, to wit:

1. "An act for the relief of Charles Thompson."
2. "An act for the relief of the representatives of John Fromberger, deceased."

The "Resolution for furnishing the Members of the Legislature with the laws of the present session," was read the second time, considered and adopted.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the same without amendment.

On motion and by special order,

The message from the House of Representatives informing, that that House do not concur in the amendments by Senate, on the bill, entitled, "An act for the relief of Charles Thompson," was again read.

Whereupon,

Resolved, That Senate do recede from their amendments, on the said bill; and

Ordered, That the Clerk acquaint the House of Representatives thereof.

On motion and by special order,

The message from the House of Representatives informing, that that House do not concur in the amendments by Senate, on the bill, entitled "An act for the relief of the representatives of John Fromberger, deceased," was again read.

Whereupon,

Resolved, That Senate do recede from their said amendments.

Ordered, That the Clerk acquaint the House of Representatives thereof.

The Clerk of the House of Representatives returned the bills, entitled as follow, to wit:

1. "A further supplement to the act, entitled "An act for the regulation of the militia of the Commonwealth of Pennsylvania."

2. "An act to raise by way of lottery a sum of money, to defray the expenses incurred by the trustees of the German Lutheran congregation, in and near the village of Strasburg, in the county of Lancaster."

3. "An act to raise by way of lottery a sum of money, to defray the expence of completing a church in Stoystown, and for building a bridge over the Qua-

mahoning creek, on the road leading from Stoystown to Ebensburg."

And informed that the House of Representatives have passed said bill without amendment.

He also informed, that the House of Representatives have not concurred in the amendments by Senate, to the bill, entitled "An act to enforce the collection and settlement of tavern licences and militia exempt fines, and for other purposes."

On motion and by special order,

The amendment by the House of Representatives, to the amendment of Senate, on the "Address to Thomas Jefferson," was again read.

Whereupon,

The Yeas and Nays, on agreeing thereto, were required by Mr. Hart and Mr. Heister, and, on the question, being put, the Members voted as follow, to wit:

#### YEAS.

1. Mr. Dorsey,
2. Mr. Hart,
3. Mr. Heister,
4. Mr. Laird,
5. Mr. Martin,
6. Mr. McArthur,

#### NAYS.

1. Mr. Brady,
2. Mr. Latimore,
3. Mr. Mayer,
4. Mr. Miller,

#### YEAS.

7. Mr. Pennell,
8. Mr. Rahm,
9. Mr. Spangler,
10. Mr. Vance,
11. Mr. Lane, *Speaker*.

#### NAYS.

5. Mr. Richards,
6. Mr. Slaymaker,
7. Mr. Sommer.

Eleven Yeas and seven Nays, by which it appeared that the question was determined in the affirmative.

Ordered, That the Clerk acquaint the House of Representatives thereof.

Adjourned till 9 o'clock, to-morrow morning.

*Tuesday, April 7, 1807.*

Mr. Laird from the committee to whom was referred, on the eleventh ultimo, the petition of the trustees of the Northumberland academy and others, made the following report, viz.

That they have paid due attention to the same, and find that by an act of the General Assembly, passed the twentieth day of January, 1804, there was granted to the trustees of the said academy the sum of two thousand dollars, to be paid by the treasurer of Northumberland county, out of the arrearages of State-taxes, as soon as doctor Joseph Priestley would appropriate, as a donation to the academy, a library of not less than two thousand volumes. The trustees of said academy having represented that they have not been able to obtain said grant by reason of the conditions thereto annexed. They also further represent, that calculating on receiving the said sum of two thousand dollars, they involved themselves in debt by repairing the academy, out of which they are unable to extricate themselves: And whereas your committee are of opinion that it would be just and equitable to grant some further pecuniary aid to said academy; therefore offer the following resolution:

Resolved, That the subject referred to them be recommended to the attention of the next Legislature.

The bill, entitled "An act to raise by way of lottery a sum of money to defray the expences incurred by the trustees of the German Lutheran congregation, in and near the village of Elizabethtown, in the county of Lancaster," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

On motion,

The committee appointed to join a committee of the House of Representatives, on the subject of the library belonging to the General Assembly, was discharged from the further consideration thereof.

On motion,

The committee to whom was referred the petition of Rebecca Wain and others, was discharged from the further consideration thereof.

On motion,

The committee appointed to join a committee of the House of Representatives, respecting the terms on which the General Assembly occupy the court-house, of the county of Lancaster, was discharged from the further consideration thereof.

The "Resolution directing the Secretary of the Commonwealth to furnish a statement of the appointments made by the Governor, since the twenty-eighth March, 1806," read yesterday, was again read, considered and adopted.

Ordered, That the Clerk transmit a copy thereof to the Secretary.

The bill, entitled "An act for the establishment and regulation of election districts," was read the second time, and considered by section.

Sections I to XXIII, inclusive were severally adopted.

Section XXIV, being under consideration.

A motion was made by Mr. Rahm and Mr. Slaymaker, to postpone the further consideration thereof for the present.

Which was agreed to.

Sections XXV to XLIII, inclusive, were severally adopted.

The consideration of section XXIV, recurring.

A motion was made by Mr. Rahm and Mr. Slaymaker, to postpone the further consideration of the bill for the present.

Which was agreed to.

The Secretary of the Commonwealth, presented a message from the Governor, which was read as follows, to wit;

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I HAVE, this day, approved and signed the following acts and resolution of the General Assembly, and directed the same, to be returned to the respective Houses, in which they originated, to wit :

1. "An act to confirm to George Bilger, a title to a certain lot of land in the county of Montgomery."
2. "An act to authorize the Governor to incorporate a company, for making an artificial road from the Philadelphia and Lancaster turnpike road, in Lancaster county, at or near the Gap tavern, to the line of the State of Delaware."
3. "An act granting Jacob Bottimore a tract of donation land."
4. "An act for the relief of Edward Chisselden."
5. "An act supplementary to the several acts of this Commonwealth concerning partitions, and for other purposes therein mentioned."
6. "An act authorizing certain persons, to sell and convey a tract of land, the property of West-Calm township, in the county of Chester."
7. "An act to alter and amend an act, entitled "An act for the better support of the public credit, &c." (passed the tenth day of April, 1781.)"
8. "An act granting a sum of money, to the trustees of the Union academy of Doylestown, in the county of Bucks, for the use of said academy."
9. "An act granting a tract of donation land to the heirs of John Allen."
10. "An act for the protection of livery-stable-keepers and inn-keepers within this Commonwealth."
11. "An act enjoining certain duties on the judges of the supreme court."
12. "An act for the inspection of hogslard, intended for exportation."
13. "An act to enable John Edgar and John Galloway, to convey certain town-lots, in the town of Mountpleasant."

14. "An act making an appropriation for improving the navigation of Le Boeuff and French creeks, from Waterford, to the south line of Erie county."

15. "An act appropriating a sum of money, for laying out and opening a State-road, from Logan's Narrows, in the county of Huntingdon, to the State-road leading to Presqu'isle."

16. "A supplement to the act, entitled "An act for the relief and support of insolvent debtors."

17. "An act to enable the Governor to incorporate a company, to make an artificial road from the courthouse, in the borough of Gettysburg, through Potomacburg, to the Maryland line, near Biddle's mill."

18. "An act for extending the width of Wharf-street, and regulating the wharves within the district of Southwark."

19. "An act vacating a part of the Old York-road, and authorizing the court of quarter sessions of Montgomery county, to direct a new road to be laid out in place thereof."

20. "An act vesting a title to sixty acres of land, in Mahonby township, Northumberland county, in certain trustees and their successors, for the benefit of a congregation composed of Presbyterians and Lutherans."

21. "An act to enable David Mahon, John Simpson and others, to restore a stream of water, in the neighbourhood of Shippensburg, in the county of Cumberland, to its ancient course, and for other purposes therein mentioned."

22. "A resolution authorizing and requiring the Secretary of the Commonwealth to distribute the Journals printed in the German language, to the commissioners of the several counties."

THOMAS M'KEAN.

*Lancaster, April 7, 1807.*

On motion,

The Senate resumed the consideration of the bill, entitled "An act declaring the middle of the Monongahela river, the division line between the counties and

joining the same," postponed for the present, on the fourth of February.

The consideration of the motion of Mr. Wayne and Mr. Wertz, to strike out the proviso, recurring.

After debate,

The question, on agreeing thereto, being put, was determined in the affirmative.

Whereupon,

On motion of Mr. Vance and Mr. Martin.

The following was adopted in lieu thereof.

"*Provided nevertheless*, That when an offence may be committed on said river, and it may be doubtful, on which side of said line the offence was committed, the offender or offenders, may be prosecuted in either of the counties adjoining said river, where he, she or they, may be found."

The section as amended was adopted.

The title of the bill being agreed to.

Ordered, That it be prepared for the third reading.

The Clerk of the House of Representatives presented for signature, the bills entitled as follow, to wit:

1. "An act to authorize the Governor to incorporate a company, for erecting a bridge over the river Susquehanna at the falls of Nescöpeck, in the county of Luzerne."

2. "A supplement to an act, entitled "An act to erect Somerset-town, in the county of Somerset, into a borough."

3. "An act to authorize the Governor to incorporate a company, for erecting a bridge over the river Susquehanna, at the borough of Wliquesbarre, in the county of Luzerne."

4. "An act for extending an act, entitled "An act regulating and continuing the distribution of donation lands."

5. "An act authorizing the President of the United States, to open a road through that part of this State, lying between Cumberland, in the State of Maryland, and the Ohio river."



6. "An act to raise by way of lottery, a sum not exceeding three thousand dollars, to enable the inhabitants of the borough of York, to bring in a stream of water, to supply their fire-engines, and for other purposes."

7. "A further supplement to the act, entitled "An act for the regulation of the militia of the Commonwealth of Pennsylvania."

8. "An act to raise by way of lottery a sum of money, to defray the expences, incurred by the trustees of the Lutheran congregation, in and near the village of Strasburg, in the county of Lancaster."

9. "A further supplement to an act, entitled "An act for offering compensation to the Pennsylvania claimants of certain lands in the Seventeen townships, in the county of Luzerne, and for other purposes therein mentioned."

10. "An act to raise by way of lottery a sum of money, to defray the expence of compleating a church in Stoystown, and for building a bridge over the Quemahoning creek, on the road leading from Stoystown to Ebensburg."

11. "An act to authorize Robert Kennedy, his heirs and assigns, to dig and support a mill race in and adjacent to the river Schuylkill near its falls."

Whereupon,

The Speaker signed the said bills.

The bill, entitled "An act making appropriations for the improvement of sundry roads," as reported by committee of the whole, on the third instant, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

On leave given, Mr. Richards read a bill in his place, and by permission, presented the same to the Chair, entitled "An act to raise by way of lottery, a sum not exceeding three thousand five hundred dollars, for finishing a church, at Barrenhill, in the county of Montgomery," which was read the first time.

The amendments by the House of Representatives, on the bill, entitled, "An act erecting a middle district of the supreme court," read yesterday, were again read, considered and concurred in.

Ordered, That the Clerk acquaint the House of Representatives thereof.

Adjourned till 4 o'clock, P. M.

### *SAME DAY IN THE AFTERNOON.*

The message from the House of Representatives informing, that that House have not concurred in the amendments by Senate, on the bill, entitled "An act to enforce the collection and settlement of tavern licences, and militia exempt fines, and for other purposes," read yesterday, was again read.

Whereupon,

Resolved, That Senate do not recede from their said amendments; and

Ordered, That Mr. Sommer, Mr. Hart and Mr. Brady, be a committee to join a committee of the House of Representatives, respecting the same; and

Ordered, That the Clerk acquaint the House of Representatives thereof.

The report of the committee of the whole, (negating the first section) on the bill, entitled "An act authorizing the Governor, to take conveyances for certain lands, in the counties of Huntingdon and Centre, for the use of the Commonwealth," read on the second instant, was again read, considered and adopted, and so the bill was lost.

The report of the committee of the whole, (negating the first section) on the bill, entitled "An act enjoining certain duties on the officers of the Land-office," read on the second instant, was again read, considered and adopted, and so the bill was lost.

On motion,

The Senate resumed the consideration of the bill, entitled "An act for the farther establishment and

regulation of election districts," postponed for the present, in the forenoon.

The consideration of section XXIV, recurring, was agreed to.

The title of the bill having been agreed to.

Ordered, That it be prepared for the third reading.

Adjourned till 9 o'clock, to-morrow morning.

*Wednesday, April 8, 1807.*

Mr. Vance from the committee to whom was referred, on the third ultimo, the "Resolution expressive of approbation in the general government, and respecting the illegal exactions, practised at Natchez and New-Orleans," reported the said resolution with one amendment, which was read as reported.

The Clerk of the House of Representatives presented for concurrence, three bills and two resolutions, entitled as follow, to wit:

1. "An act for the relief of the supervisors of Cambria and Allegheny townships, in Cumberland county."

2. "An act regulating township elections."

3. "An act making appropriations, and for other purposes."

A "Resolution directing the Governor, to transmit a copy of a law, relative to the United States road, from Cumberland to the river Ohio, to the President of the United States."

A "Resolution authorizing the Comptroller-general, to direct the Attorney-general of this Commonwealth, to stay further proceedings against Peter Baynton, late State-treasurer."

Which were severally read the first time.

The bill, entitled "An act declaring the middle of the river Monongahela, the division line between the counties, adjoining the same," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with one amendment, in which the concurrence of the House of Representatives is requested.

[*For the amendment, see Journal of yesterday.*]

The bill, entitled "An act making appropriations for the improvement of sundry roads," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act for the further regulation and establishment of election districts," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence of that House is requested.

(The amendments are, add five additional new sections, to wit: First, erecting Sadsbury township, in Crawford county; second, Mahoning township; third, Neshannock township; fourth, Shenango township, in Mercer county; and fifth, Centre township, in Centre county, into elections districts respectively.)

The "Resolution to prohibit attorneys and others from reading in courts any precedents or cases of law decided in any court, except in the courts in the United States," was read the second time.

Whereupon,

The Yeas and Nays, on adopting the same, were required by Mr. Pennell and Mr. Dorsey, and, on

the question, being put, the Members voted as follow, to wit :

## YEAS.

1. Mr. Dorsey,
2. Mr. Hart,
3. Mr. Heister,
4. Mr. Laird,
5. Mr. Martin,

## NAYS.

1. Mr. Brady,
2. Mr. Harris,
3. Mr. Mayer,
4. Mr. Miller,

## YEAS.

6. Mr. M<sup>r</sup>Arthur,
7. Mr. Pennell,
8. Mr. Rahm,
9. Mr. Spangler,
10. Mr. Vance.

## NAYS.

5. Mr. Richards,
6. Mr. Slaymaker,
7. Mr. Sommer,
8. Mr. Lane, *Speaker*.

Ten Yeas and eight Nays, by which it appeared that the question was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said resolution without amendment.

The Clerk of the House of Representatives returned the bills, entitled as follow, to wit :

1. "An act making an appropriation for the improvement of certain roads in the western counties, and authorizing the courts of the respective counties, to appoint fit persons, to view and lay out the same."

2. "An act for raising by way of lottery, the sum of six thousand dollars, for defraying the expence of making an aqueduct to conduct water into the town of Meadville, and for other purposes."

3. "An act authorizing the commissioners of Delaware county, to lay a tax on the owners of dogs."

4. "An act to raise by way of lottery a sum of money, to enable the trustees of Protestant Episcopal congregation, in the borough of Lancaster, to repair their steeple and house of worship."

And informed, that the House of Representatives have passed the same, the last without amendment and the three former with amendments, in which the concurrence of Senate is requested.

The amendments by the House of Representatives, on the bill, entitled "An act making appropriations for the improvement of certain roads in the western counties, and authorizing the courts of the respective counties, to appoint fit persons, to view and lay out the same," were read as follow, to wit :

Section I, line 10, strike out the word "aforesaid"

Line 13, strike out "Mercer" and insert "Butler"

Add a new section as follows, viz.

"Section X. *And be it further enacted by the authority aforesaid,* That nothing in this or any other act shall be construed, to interfere with the provisions of the act, entitled "An act to encourage the patenting of lands, and for other purposes."

Whereupon,

On motion and by special order,

The said amendments were again read, considered and concurred in.

Ordered, That the Clerk acquaint the House of Representatives thereof.

The amendment (merely verbal) by the House of Representatives, on the bill, entitled "An act for raising by way of lottery, the sum of six thousand dollars, for defraying the expence of making an aqueduct to conduct water into the town of Meadville, and for other purposes," was read, considered and adopted.

Ordered, That the Clerk acquaint the House of Representatives thereof.

The amendments by the House of Representatives, on the bill, entitled "An act authorizing the commissioners of Delaware county, to lay a tax on the owners of dogs," were read as follow, to wit :

Strike out the preamble, and these words from the title "the owners of"

Whereupon,

On motion, and by special order,

The said amendments were again read, considered and adopted.

Ordered, That the Clerk acquaint the House of Representatives thereof.

The bill, entitled "An act directing the mode of settling accounts in the Land-office, and to prevent frauds in obtaining warrants for land," was read the second time, and referred to Mr. Sommer, Mr. Pennell and Mr. Vance, to consider and report thereon.

On motion and by special order,

The "Resolution expressive of approbation in the general government, and respecting the illegal exactions practiced at Natchez and New-Orleans," reported this day, by special committee, was considered and adopted.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said resolution with one amendment, in which the concurrence of that House is requested.

The amendments is—

Strike out the first and second resolutions with the preamble thereto prefixed.

The bill, entitled "An act to raise by way of lottery a sum of money, not exceeding three thousand five hundred dollars, for the purpose of finishing a church at Barren-hill, in the county of Montgomery," was read the second time, considered and agreed to.

Ordered, That it be prepared for the third reading.

Mr. Harris asked and obtained leave of absence for the remainder of the session.

Adjourned till 4 o'clock, P. M.

### *SAME DAY IN THE AFTERNOON.*

The Clerk of the House of Representatives informed Senate, that that House adhere to their amendments not concurred in by the Senate, to the bill, entitled "An act making appropriations for certain roads therein mentioned, and for improving the navigation of the river Schuylkill."

Whereupon,

Resolved, That Senate do insist on their disagreement, to the said amendments, and that Mr. Harris,

Mr. Dorsey and Mr. Rahm, be a committee, to join a committee of the House of Representatives, and confer thereon; and

Ordered, That the Clerk acquaint the House of Representatives thereof.

The Clerk of the House of Representatives presented for signature, the bills entitled as follow, to wit :

1. "An act for raising by way of lottery, the sum of six thousand dollars, for defraying the expence of making an aqueduct to conduct water into the town of Meadville, and for other purposes."

2. "An act to raise by way of lottery a sum of money, to enable the trustees of the Episcopal church in the borough of Lancaster, to repair their steeple and house of worship."

Whereupon,

The Speaker signed the said bills.

Mr Sommer from the committee to whom was referred, this day, the bill, entitled "An act directing the mode of settling accounts in the Land-office, and to prevents frauds in obtaining warrants for land," reported the said bill with one amendment, which was read as reported.

Whereupon,

On motion and by special order,

The said bill was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

On motion and by special order,

The bill, entitled "An act making appropriations, and for other purposes therein mentioned," was read the second time, and referred to Mr. Pennell, Mr. Martin and Mr. Brady, to consider and report thereon.

Mr. Hart from the committee appointed for that purpose, made report :

That the committee in conjunction with the committee of the House of Representatives, have, this day, presented to the Governor, for his approbation, the bills, entitled as follow, to wit :



1. "A further supplement to an act, entitled "An act for offering compensation to the Pennsylvania claimants of certain lands, in the Seventeen townships, in the county of Luzerne, and for other purposes therein mentioned."

2. "An act for extending an act, entitled "An act regulating and continuing the distribution of donation lands."

3. "An act to authorize the Governor to incorporate a company, for erecting a bridge over the river Susquehanna, at the borough of Wilkesbarre, in the county of Luzerne"

4. "A supplement to an act, entitled "An act to erect Somerset-town, in the county of Somerset, into a borough."

5. "An act to authorize the Governor to incorporate a company, for erecting a bridge over the river Susquehanna at the falls of Nescopeck, in the county of Luzerne."

6. "An act authorizing the President of the United States, to open a road through that part of this State, lying between Cumberland, in the State of Maryland, and the Ohio river."

7. "A further supplement to the act, entitled "An act for the regulation of the militia of the Commonwealth of Pennsylvania."

8. "An act to raise by way of lottery, a sum not exceeding three thousand dollars, to enable the inhabitants of the borough of York, to bring in a stream of water, to supply their fire-engines, and for other purposes."

9. "An act to raise by way of lottery a sum of money, to defray the expence of completing a church in Stoystown, and for building a bridge over the Que-mahoning creek, on the road leading from Stoystown to Ebensburg."

10. "An act to authorize Robert Kennedy, his heirs and assigns, to dig and support a mill-race in and adjacent to the river Schuylkill, near its falls."

11. "An act to raise by way of lottery a sum of money, to defray the expences incurred by the trustees of the Lutheran congregation, in and near the village of Strasburg, in the county of Lancaster."

Adjourned till 9 o'clock, to-morrow morning.

## *Thursday, April 9, 1807.*

Mr. Pennell from the committee to whom, was yesterday referred, the bill, entitled "An act making appropriations and for other purposes," reported the said bill with amendments, which were read as reported.

The Clerk of the House of Representatives presented two extracts from the Journal of that House, which were severally read as follow, to wit:

*"In the House of Representatives,*

*April 8, 1807.*

Resolved, That a committee be appointed, to confer with a committee of Senate, already appointed, on the amendments by this House, to the bill from Senate, entitled "An act making appropriations for certain roads therein mentioned, and also for improving the navigation of the river Schuylkill," not concurred in by Senate, and insisted on by this House, and

Ordered, That Messrs. C. Smith, Ogle and M'Kinney, be a committee for said purpose."

*"In the House of Representatives,*

*April 8, 1807.*

Resolved, That a committee be appointed, to confer with a committee of Senate, already appointed, on the subject of the amendments by Senate, to the bill, entitled "An act to enforce the collection and settlement of tavern licences and militia exempt fines, and for other purposes," non-concurred in by this House, and insisted on by Senate, and

Ordered, That Messrs. I. Davis, Engle and Tarr, be a committee for the purpose expressed above."

Mr. Harris from the committee appointed, to confer with a committee of the House of Representatives, on the amendments by that House, to the bill, entitled "An act making appropriations for certain roads therein mentioned, and also for improving the navigation of the river Schuylkill," reported the said amendments with amendments, which were read as reported.

Mr. Hart from the committee of accounts, made further report, in part:

That the committee have examined the estimates, produced by the several printers of the Senate, and are of opinion, that the sum of one thousand dollars should be placed in the hands of the Clerk, to enable him, to pay the balances of the accounts of said printers, when the printing work shall have been completed and examined in conformity with the resolution of Senate of the eleventh of December, one thousand eight hundred and five, the committee therefore offer the following resolution:

Resolved, That the Speaker draw his warrant on the State-treasurer, in favor of George Bryan, Clerk of the Senate, for the sum of one thousand dollars, to enable him, to settle with the several printers of the Senate, he to account for the same.

They also report that the following accounts are unpaid, to wit:

|                     |   |   |    |    |
|---------------------|---|---|----|----|
| John P. Helfenstein | - | - | \$ | 62 |
| John F. Steinman    | - | - | 3  |    |
| George Moore        | - | - | 1  | 50 |
| Henry Keffer        | - | - | 2  |    |
| Michael Kleine      | - | - | 1  | 25 |
| John Getz, junior   | - | - | 3  | 55 |
| Christopher Mayer   | - | - | 2  | 53 |
| Matthias Zahm       | - | - | 3  |    |
| Adam Hart           | - | - | 1  | 40 |

Carried forward

\$ 18 85

|                                                                                            |   |       |                 |
|--------------------------------------------------------------------------------------------|---|-------|-----------------|
| Brought forward                                                                            |   | \$ 18 | 85              |
| To the following persons for newspapers:                                                   |   |       |                 |
| Richard Folwell                                                                            | - | 6     |                 |
| E. Pentland                                                                                | - | 6     | 51              |
| S. H. Smith                                                                                | - | 10    | 25              |
| Wilson & Halsey                                                                            | - |       | 75              |
| William Duane                                                                              | - | 45    | 79              |
| John Wyeth                                                                                 | - | 2     | 24              |
| James Cheetham                                                                             | - | 6     | 85              |
| George Kleine                                                                              | - | 1     | 20              |
| William M'Corkle                                                                           | - | 22    | 36              |
| William Dickson                                                                            | - | 4     | 88              |
| S. Eagles                                                                                  | - |       | 75              |
| E. Bronson                                                                                 | - | 12    | 60              |
| C. J. Huetter                                                                              | - |       | 75              |
| Allen & Springer for news-pa-<br>pers last session                                         | } | 1     | 59              |
|                                                                                            |   |       | <hr/> 140 87    |
| Dr. Moore, postages on newspapers                                                          | - |       | 46 28           |
| Postages paid by G. Bryan, Clerk<br>of Senate, on letters containing<br>the above accounts | - |       | 1 07            |
| George Heckert, transcribing bills                                                         | - |       | 131 24          |
|                                                                                            |   |       | <hr/> \$ 319 46 |

Therefore,

Resolved, That the Speaker draw his warrant, on the State-treasurer, in favor of George Bryan, Clerk of the Senate, for three hundred nineteen dollars, and forty-six cents, to enable him, to discharge the above accounts.

Whereupon,

On motion and by special order,  
The said report was again read, considered and adopted; and.

Warrants on the State-treasurer, drawn in favor of George Bryan, Clerk of Senate, for the sums expressed in the resolutions attached to the said report.

JOURNAL OF THE SENATE.

The bill, entitled "An act to raise by way of lottery, a sum not exceeding three thousand five hundred dollars, for finishing a church at Barren-hill, in the county of Montgomery," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

The bill, entitled "An act directing the mode of settling accounts in the Land-office, and to prevent frauds in obtaining warrants for land," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

On motion,

The Senate resumed in committee of the whole, (Mr. Richards in the Chair) the consideration of the bill, entitled "A supplement to an act, entitled "An act to regulate arbitrations and proceedings in courts of justice," and

After some time,

The committee rose, and reported the bill with one amendment, which was read as reported.

The Secretary of the Commonwealth, presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

The bill, entitled "A supplement to, and making perpetual an act, entitled "An act for the recovery of debts and demands, not exceeding one hundred dollars before a justice of the peace, and for the election of constables, and for other purposes," and a "Reso-

lution relating to the publication of the laws in newspapers," were presented to me, on Thursday, the twenty-sixth ultimo, and as they have not been returned by me, within ten days, (Sundays excepted) since I received them, they have now become laws. I have directed the Secretary, to return them to the Houses, in which they respectively originated.

THOMAS M'KEAN,

*Lancaster, April 8, 1807.*

The bill, entitled "An act regulating township elections," was read the second time, and considered by section.

The first and only section, being under consideration.

A motion was made by Mr. Laird and Mr. Martin, to amend the section, by striking out from the word "be" in line 2, to the word "suitable" in line 6, and insert in lieu thereof, the following: "lawful for a majority of the qualified electors, present at any meeting held at the usual place, for electing assessors or inspectors, or other township officers, to change the place of holding said elections to any" and to strike out from the word "townships" in line 8, to the end of the section.

Which was agreed to.

Whereupon,

The question, on adopting the section as amended, being put, was determined in the negative, and so the bill was lost.

The Clerk of the House of Representatives informed Senate, that that House have receded from their non-concurrence in the amendments by Senate, to the bill, entitled "An act to render perpetual, a certain act respecting the Philadelphia and Lancaster turnpike road." And he presented for concurrence, the bill, entitled "An act directing the distribution of the Journals printed in the English language, and for other purposes," which was read the first time.

The bill, entitled "An act for the relief of the supervisors of Cambria and Allegheny townships, in Cambria county, for the years one thousand eight hundred and three-four," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The "Resolution directing the Governor, to transmit to the President of the United States, a copy of a law, relative to the United States turnpike, from Cumberland, in Maryland, to the Ohio river," was read the second time, considered and adopted.

Ordered, That it be returned to the House of Representatives, with information that Senate have concurred in the said resolution without amendment.

The "Resolution authorizing the Comptroller-general, to direct the Attorney-general of this Commonwealth, to stay further proceedings against Peter Baynton, late State-treasurer," was read the second time.

Whereupon,

A motion was made by Mr. Pennell and Mr. Hart, to amend the same by adding to the end thereof, a provision prohibiting the county commissioners of Huntingdon and Centre counties, from selling the lands of Peter Baynton for taxes.

Thereupon,

On motion of Mr. Harris and Mr. Martin,

The further consideration of the resolution and motion to amend, were postponed for the present.

The bill, entitled "An act making appropriations, and for other purposes therein mentioned," was read the second time, as reported by special committee.

Whereupon,

The Senate resolved itself into committee of the whole, (Mr. Hart in the Chair) for the further consideration thereof; and

After some time,

The committee rose, and reported the bill without amendment.

Adjourned till 4 o'clock, P. M.

*SAME DAY IN THE AFTERNOON.*

On motion and by special order,

The bill, entitled "An act directing the distribution of the Journals, printed in the English language," was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The Clerk of the House of Representatives informed Senate, that that House have concurred in the amendments by Senate, to the bills, entitled as follow, to wit:

1. "An act declaring the middle of the river Monongahela, the division line between the counties adjoining the same."

2. "An act for the further establishment and regulation of election districts."

And that they have adopted the several reports of the joint committees of conference on the bills, entitled, as follow, to wit:

1. "An act making appropriations for certain roads therein mentioned, and also for improving the navigation of the river Schuylkill."

2. "An act to enforce the collection and settlement of tavern licences, and militia exempt fines, and for other purposes."

And he presented for concurrence, "a Resolution directing the printing of one thousand five hundred copies of the supplement to the hundred dollar law, for the use of the civil officers of the State."

The report of the committee on the subject of the insolvent laws, read on the fifteenth of December last, was again read, considered and the resolution therein contained adopted, to wit:

"That the prayer of the petitioners cannot be granted."

The report of the committee on the subject of domestic manufactures, read on the twenty-seventh January, was again read, considered, and postponed generally.



The report of the committee appointed to join a committee of the House of Representatives, on the disagreement between the two Houses, on the bill, entitled "An act to prohibit the distilling and boiling of turpentine and oil, and the manufacturing of varnish within the city of Philadelphia and its neighbourhood," read on the twenty-fourth ultimo, was again read, considered and adopted.

Ordered, That the Clerk acquaint the House of Representatives thereof.

On motion of Mr. Pennell and Mr. Hart,  
The Senate resumed the consideration of the resolution from the House of Representatives, relative to the adjournment of the Legislature, postponed for the present, on the thirtieth ultimo, and the same, to wit:

("Resolved, That the Legislature do adjourn on")

Being again under consideration.

A motion was made to fill the blank with "Tuesday the fourteenth instant"

Which was agreed to, and the resolution as amended adopted.

Ordered, That the Clerk acquaint the House of Representatives thereof.

On motion and by special order,

The amendments reported by the joint committee, on the bill, entitled "An act making appropriations for certain roads therein mentioned, and also for improving the navigation of the river Schuylkill," were again read, considered by paragraph and adopted.

Ordered, That the Clerk acquaint the House of Representatives thereof.

The Secretary of the Commonwealth, presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I HAVE, this day, approved and signed the following acts of the General Assembly, and directed

the Secretary, to return the same, to the respective Houses in which they originated, to wit:

1. "An act to raise by way of lottery a sum of money, to defray the expences incurred by the trustees of the Lutheran congregation, in and near the village of Strasburg, in the county of Lancaster."

2. "A supplement to an act, entitled "An act to erect Somerset-town, in the county of Somerset, into a borough."

3. "An act authorizing the President of the United States, to open a road through that part of this State, lying between Cumberland, in the State of Maryland, and the Ohio river."

4. "An act to raise by way of lottery, a sum not exceeding three thousand dollars, to enable the inhabitants of the borough of York, to bring in a stream of water, to supply their fire-engines, and for other purposes."

5. "An act for extending an act, entitled "An act regulating and continuing the distribution of donation lands."

6. "A further supplement to the act, entitled "An act for the regulation of the militia of the Commonwealth of Pennsylvania."

7. "An act to authorize Robert Kennedy, his heirs and assigns, to dig and support a mill race in and adjacent to the river Schuylkill near its falls."

8. "An act to raise by way of lottery a sum of money, to defray the expence of compleating a church in Stoystown, and for building a bridge over the Quemahoning creek, on the road leading from Stoystown to Ebensburg."

9. "An act to authorize the Governor to incorporate a company, for erecting a bridge over the river Susquehanna, at the borough of Wilkesbarre, in the county of Luzerne."

10. "A further supplement to an act, entitled "An act for offering compensation to the Pennsylvania claimants of certain lands in the Seventeen townships,

in the county of Luzerne, and for other purposes therein mentioned."

11. "An act to authorize the Governor to incorporate a company, for erecting a bridge over the river Susquehanna, at the falls of Nescopeck, in the county of Luzerne."

12. "An act for the regulation of the militia of the Commonwealth of Pennsylvania."

THOMAS M'KEAN.

*Lancaster, April 9, 1807.*

The Clerk of the House of Representatives presented for signature, the bills and resolutions, entitled as follow, to wit:

1. "An act to provide for the erection of a house for the employment and support of the poor, in the county of Bucks."

2. "An act making an appropriation for the improvement of certain roads in the western counties, and authorizing the courts of the respective counties, to appoint fit persons, to view and lay out the same."

3. "An act erecting a middle district of the supreme court, and for other purposes."

4. "An act authorizing the commissioners of Delaware county, to lay a tax on dogs."

5. "An act for the relief of Charles Thompson."

6. "An act declaring the middle of the river Monongahela, the division line between the counties adjoining the same."

7. "An act for the relief of the representatives of John Fromberger, deceased."

8. "Resolution to furnish the Members of the present Legislature with one copy each, of the laws passed during the present session."

9. "Resolution directing the Governor, to transmit a copy of a law, authorizing the President of the United States, to open a road from Cumberland, to the Ohio river."

10 "Resolution prohibiting attornies and others from reading in court any precedents or case of law

decided in any court, except in some court of the United States."

Whereupon,

The Speaker signed the said bills and resolutions.

Adjourned till 9 o'clock, to-morrow morning.

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Friday, April 10, 1807.

The bill, entitled "An act directing the distribution of the Journals in the English language, and for other purposes," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "An act for the relief of the supervisors of Cambria and Allegheny townships, in Cambria county, for the years one thousand eight hundred and three-four," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill without amendment.

The bill, entitled "A supplement to an act, entitled "An act to regulate arbitrations and proceedings in courts of justice," as reported yesterday, by committee of the whole, was considered by section and agreed to.

Ordered, That it be prepared for the third reading.

The message from the House of Representatives informing, that that House do not concur in the amendments by Senate, on the bill, entitled "An act regulating the appointment of circuit courts, and for other purposes," was again read, and

Being under consideration.

A motion was made by Mr. Brady and Mr. M'Arthur, to postpone the further consideration of the said message generally.

Which was agreed to.

The "Resolution directing the Attorney-general, to stay further proceedings, against Peter Baynton, till the next session of the Legislature," postponed for the present, yesterday, was again read.

The consideration of the amendment offered by Mr. Pennell and Mr. Hart, recurring.

A motion was made by Mr. Vance and Mr. Spangler, to postpone the further consideration of the resolution and motion, to amend generally.

Which was not agreed to.

Whereupon,

The motion to amend recurring.

The question, on agreeing thereto, being put, was determined in the negative.

Thereupon,

The question, on adopting the resolution, being put, was determined in the negative.

The "Resolution directing the Secretary of the Commonwealth, to procure to be printed one thousand five hundred copies of the act, entitled "A supplement to, and making perpetual an act, entitled "An act for the recovery of debts and demands, not exceeding one hundred dollars before a justice of the peace, and for the election of constables, and for other purposes," was read the second time, and

Being under consideration.

A motion was made by Mr. Pennell and Mr. Richards, to amend the resolution by making it the duty of the Secretary of the Commonwealth, to procure to be printed a like number of copies of the act, entitled "A further supplement to the act, entitled "An act for the regulation of the militia of the Commonwealth of Pennsylvania."

Which was agreed to, and the resolution as amended adopted.

Ordered, That it be returned to the House of Representatives with information that Senate have passed the same with one amendment, (as above) in which the concurrence of that House is requested.

The Clerk of the House of Representatives presented an extract from the Journal of that House, which was read as follows, to wit :

*" In the House of Representatives,*

*April 9, 1807.*

Resolved, That the Legislature will adjourn on Saturday, the eleventh instant."

Whereupon,

On motion of Mr. Harris and Mr. Pennell, and by special order,

The Senate proceeded to the consideration thereof; and

Thereupon,

On motion of Mr. Harris and Mr. Pennell,

Agreed, That "Saturday the eleventh" be stricken out and "Monday the thirteenth" be inserted in place thereof.

The resolution as amended was adopted.

Ordered, That the Clerk acquaint the House of Representatives accordingly.

On leave given, Mr. Brady read a bill in his place, and by permission, presented the same to the Chair, entitled "An act authorizing the court of quarter sessions of the county of Westmoreland, to vacate that part of the State-road, that lies between Jones' mill, in said county, and the line of Somerset county," which was read the first time.

Whereupon,

On motion and by unanimous consent,

The said bill was read the second time, considered by section and agreed to.

Ordered, That it be prepared for the third reading.

Adjourned till 4 o'clock, P. M.

## *SAME DAY IN THE AFTERNOON.*

The Clerk of the House of Representatives returned two bills, entitled as follow, to wit:

1. "An act to raise by way of lottery, a sum not exceeding three thousand five hundred dollars, for finishing a church, at Barren-hill, in the county of Montgomery."

2. "A supplement to an act, entitled "An act to erect part of Lycoming, Huntingdon and Somerset counties, into separate county districts."

And informed, that the House of Representatives have passed the said bills, the first without amendment and the the latter with one amendment, in which the concurrence of Senate is requested.

And he presented for signature, the bills, entitled as follow, to wit:

1. "An act for the further establishment and regulation of election districts."

2. "An act to render perpetual a certain act, respecting the Philadelphia and Lancaster turnpike road."

3. "An act to enforce the collection and settlement of tavern licences, and militia exempt fines, and for other purposes."

4. "An act to provide for the erection of a poor-house, for the better relief and support of the poor, in the townships of Oxford and Lower-Dublin, in the county of Philadelphia."

5. "An act making appropriations for certain roads therein mentioned, and also for improving the navigation of certain rivers."

6. "An act for the relief of the supervisors of Cambria and Allegheny townships, in Cambria county, for the years one thousand eight hundred and three-four."

7. "An act directing the distribution of the Journals, printed in the English language, and for other purposes."

Whereupon,

The Speaker signed the said bills.

100 JOURNAL OF THE SENATE.  
The amendment by the House of Representatives, to the bill, entitled "A supplement to an act, entitled "An act to erect part of Lycoming, Huntingdon and Somerset counties, into separate county districts," was read as follows, to wit:

Add to the end of the first section the following:  
"The said George Ross, to be accountable to the legal representatives of William Ellis, deceased, for such part of the additional compensation, as shall be in proportion to the services rendered by William Ellis, in his life time."

Whereupon,

Resolved, That Senate concur therein; and

Ordered, That the Clerk acquaint the House of Representatives thereof.

The Speaker laid before the Senate the following report from the Secretary of the Commonwealth, viz.

In compliance with their resolution of the seventh instant, I have the honor, to lay before the Senate, a list of all the appointments of officers made by the Governor, from the twenty-eighth March, one thousand eight hundred and six, up to this period; with the date of their commissions and the names of their sureties, as well those who are appointed for general, as those who are appointed for special purposes.

I am, Sir, respectfully

Your obedient servant,

T. M. THOMPSON, *Secretary.*

*The Hon. P. C. LANE, Esq. }*

*Speaker of the Senate. }*

*Secretary's Office, April 10, 1807.*

Whereupon,

On motion of Mr. Pennell and Mr. Hart,

Agreed, That the said list be entered at large on the Journal.

[*For the list of Appointments, see Appendix.*]

Mr. Miller from the committee appointed for that purpose, made report:



That the committee in conjunction with the committee of the House of Representatives, have, this day, presented to the Governor, for his approbation, the bills and resolutions, entitled as follow, to wit:

1. "An act making appropriations for certain roads therein mentioned, and also for improving the navigation of certain rivers."

2. "An act to render perpetual a certain act respecting the Philadelphia and Lancaster turnpike road."

3. "An act for the relief of the supervisors of Cambria and Allegheny townships, in Cambria county, for the years one thousand eight hundred and three-four."

4. "An act to enforce the collection and settlement of tavern licences, and militia exempt fines, and for other purposes."

5. "An act directing the distribution of the Journals printed in the English language, and for other purposes."

6. "An act to provide for the erection of a poor-house, for the better relief and employment of the poor, in the townships of Oxford and Lower-Dublin, in the county of Philadelphia."

7. "An act for the further establishment and regulation of election districts."

8. "An act to raise by way of lottery a sum of money, to enable the trustees of the Protestant Episcopal church in the borough of Lancaster, to repair their steeple and house of worship."

9. "An act for raising by way of lottery, the sum of six thousand dollars, for defraying the expences of making an aqueduct to conduct water into the town of Meadville, and for other purposes."

10. "An act for erecting a middle district of the supreme court, and for other purposes."

11. "An act to provide for the erection of a house for the employment and support of the poor, in the county of Bucks."

12. "An act making an appropriation for the improvement of certain roads in the western counties, and authorizing the courts of the respective counties, to appoint fit persons, to view and lay out the same."

13. "An act for the relief of Charles Thompson."

14. "An act for the relief of the representatives of John Fromberger, deceased."

15. "An act declaring the middle of the river Monongahela, the division line between the counties adjoining the same."

16. "An act authorizing the commissioners of Delaware county, to lay a tax on dogs."

17. "A resolution directing the Secretary of the Commonwealth, to furnish the Members of the present Legislature, with a copy of the laws, passed during the present session."

18. "A resolution prohibiting attorneys and others from reading in court, any precedent or case of law, decided in any court, except in some court of the United States."

19. "A resolution directing the Governor, to transmit to the President of the United States, a copy of an act, relating to the United States turnpike, from Cumberland to the Ohio river."

The bill, entitled "An act authorizing the court of quarter sessions of Westmoreland county, to vacate that part of the State-road, that lies between Jones' mill, in said county, and the line of Somerset county," was read the third time.

Whereupon,

The question, "*Shall this bill pass?*" being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives for concurrence.

On motion of Mr. Sommer and Mr. Hart, (who voted with the majority)

Agreed, That Senate re-consider their vote (negating the first and only section) on the bill, entitled "An

act regulating township elections," decided yesterday, and the said bill being again under consideration.

And the consideration of the section, recurring.

The question, on agreeing thereto, being put, was determined in the affirmative.

The title being agreed to.

Ordered, That the said bill be prepared for the third reading.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I HAVE, this day, approved and signed the following acts and resolutions of the General Assembly, and directed the Secretary, to return the same to the respective Houses, in which they originated:

1. "An act for raising by way of lottery, the sum of six thousand dollars, for defraying the expence of making an aqueduct to conduct water into the town of Meadville, and for other purposes."

2. "An act authorizing the commissioners of Delaware county, to lay a tax on dogs."

3. "An act making an appropriation for the improvement of certain roads in the western counties, and authorizing the courts of the respective counties, to appoint fit persons, to view and lay out the same."

4. "An act erecting a middle district of the supreme court, and for other purposes."

5. "An act for the relief of the representatives of John Fromberger, deceased."

6. "An act to raise by way of lottery a sum of money, to enable the trustees of the Protestant Episcopal congregation, in the borough of Lancaster, to repair their steeple and house of worship."

7. "An act to provide for the erection of a house for the employment and support of the poor, in the county of Bucks."

8. "An act for the relief of Charles Thompson."

9. "An act declaring the middle of the river Monongahela, the division line between the counties adjoining the same."

10. "A resolution requiring the Secretary of the Commonwealth, to forward to the prothonotaries of the several counties a copy of the laws, passed during the present session, to each of the Members, now representing such counties in the Legislature."

11. "A resolution directing the Governor, to transmit to the President of the United States, a copy of the act, entitled "An act authorizing the President of the United States, to open a road through that part of this State, lying between Cumberland, in the State of Maryland, and the Ohio river."

THOMAS M'KEAN.

Lancaster, April 10, 1807.

Adjourned till 9 o'clock, to-morrow morning.

*Saturday, April 11, 1807.*

Mr. Hart from the committee of accounts, made final report, which was read as follows, to wit :

That there is due to the Members and Officers of the Senate, for their attendance in the present session, the following sums, to wit :

|                                                                         |           |        | <i>Dolls. Cts.</i> |
|-------------------------------------------------------------------------|-----------|--------|--------------------|
| James Brady,                                                            | 133 days  | \$ 399 |                    |
|                                                                         | 440 miles | 44     |                    |
|                                                                         |           | <hr/>  | 443                |
| John Dorsey,                                                            | 133 days  | 399    |                    |
|                                                                         | 128 miles | 12 80  |                    |
| And for mileage and expences on committee on examination of the banks } |           | 21 80  |                    |
|                                                                         |           | <hr/>  | 433 60             |

*Dolls. Cts.*

|                    |                                                                               |        |        |
|--------------------|-------------------------------------------------------------------------------|--------|--------|
| James Harris,      | 128 days                                                                      | \$ 384 |        |
|                    | 260 miles                                                                     | 26     |        |
|                    | And for mileage and ex-<br>pences on committee on<br>examination of the banks | 21 80  |        |
|                    | Two days further attendance                                                   | 6      |        |
|                    |                                                                               | <hr/>  | 437 80 |
| Joseph Hart,       | 133 days                                                                      | 399    |        |
|                    | 170 miles                                                                     | 17     |        |
|                    |                                                                               | <hr/>  | 416 80 |
| Gabriel Heister,   | 133 days                                                                      | 399    |        |
|                    | 62 miles                                                                      | 6 20   |        |
|                    |                                                                               | <hr/>  | 405 20 |
| Edward Heston,     | 133 days                                                                      | 399    |        |
|                    | 118 miles                                                                     | 11 80  |        |
|                    |                                                                               | <hr/>  | 410 80 |
| James Laird        | 133 days                                                                      | 399    |        |
|                    | 224 miles                                                                     | 22 40  |        |
|                    |                                                                               | <hr/>  | 421 40 |
| William Lattimore, | 127 days                                                                      | 381    |        |
|                    | 152 miles                                                                     | 15 20  |        |
|                    |                                                                               | <hr/>  | 396 20 |
| James Martin,      | 133 days                                                                      | 399    |        |
|                    | 522 miles                                                                     | 52 20  |        |
|                    |                                                                               | <hr/>  | 451 20 |
| Christopher Mayer, | 133 days                                                                      |        |        |
|                    |                                                                               | <hr/>  | 399    |
| William M'Arthur,  | 133 days                                                                      | 399    |        |
|                    | 630 miles                                                                     | 63     |        |
|                    |                                                                               | <hr/>  | 462    |
| Thomas Mewhorter,  | 120 days                                                                      | 360    |        |
|                    | 134 miles                                                                     | 13 40  |        |
|                    |                                                                               | <hr/>  | 373 40 |
| William Miller,    | 133 days                                                                      | 399    |        |
|                    | 120 miles                                                                     | 12     |        |
|                    |                                                                               | <hr/>  | 411    |
| David Mitchell,    | 121 days                                                                      | 363    |        |
|                    | 136 miles                                                                     | 13 60  |        |
|                    |                                                                               | <hr/>  | 376 60 |

William Pennell, 133 days \$ 399  
 110 miles 11

And for mileage and ex-  
 pences on committee, on  
 examination of the banks } 21 80

*Dolls. Cts.*

James Poe, 88 days 264  
 176 miles 17 60

431 80

281 60

Melchior Rahm, 133 days 399  
 72 miles 7 20

406 20

Aaron Shymaker, 133 days 399  
 28 miles 2 80

401 80

John Richards, 133 days 390  
 100 miles 10

409

Jacob Sommer, 133 days 399  
 156 miles 15 60

414 60

Rudolph Spangler, 133 days 399  
 46 miles 4 60

403 60

Joseph Vance, 133 days 399  
 548 miles 54 80

453 80

Henry Wertz, jun. 86 days 258  
 272 miles 27 20

285 20

Isaac Wayne, 123 days 269  
 90 miles 9

378

Presley C. Lane, *Speaker*,  
 133 days 532  
 410 miles 41

578

|                                   |        |      |
|-----------------------------------|--------|------|
| George Bryan, Clerk, 133 days     | \$ 532 |      |
| his annual allowance by law       | 500    | 1032 |
| Stacy Potts, Assistant-Clerk,     |        |      |
| 125 days                          | 500    |      |
| his annual allowance by law       | 340    | 850  |
| William Wilson, Sergeant-at-Arms, |        |      |
| 133 days                          | 266    |      |
| his annual allowance by law,      | 150    | 416  |
| Adam Hart, Door-keeper,           |        |      |
| 133 days                          | 266    |      |
| his annual allowance by law,      | 150    | 416  |

Whereupon,

On motion and by special order,  
The said report was again read, considered and adopted, and warrants on the State-treasurer drawn agreeably thereto,

The bill, entitled "An act regulating townships elections," was read the third time.

Whereupon,

The question, "Shall this bill pass?" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said bill with amendments, in which the concurrence of that House is requested

[For the amendments, see Journal of ninth instant.]

The bill, entitled "A supplement to an act, entitled "An act to regulate arbitrations and proceedings in courts of justice," was read the third time.

Whereupon,

The question, "Shall this bill pass?" being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed

cretary of the Commonwealth, to cause to be printed one thousand five hundred copies of the supplement to the hundred dollar law," was again read.

Whereupon,

Resolved, That Senate do recede from their said amendment, and

Ordered, That the Clerk acquaint the House of Representatives thereof.

Moved by Mr. Vance and Mr. Martin,

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met,* That the Secretary of the Commonwealth, be, and he is hereby authorized and required, to receive proposals for the printing and half-binding copies of the minutes of the convention, by which the present Constitution was framed, including said Constitution, in the Pamphlet form, and shall contract, with the person, making the most favorable offer for the printing and half-binding of the same, and the expence incurred shall be paid out of any unappropriated monies in the treasury of the State, upon a warrant drawn by the Governor in the usual manner.

On motion of Mr. Vance and Mr. Martin,

The blank was filled with "twelve hundred" and the resolution as amended was adopted.

Ordered, That it be presented to the House of Representatives for concurrence.

On motion of Mr. Pennell and Mr. Martin,

The following resolution was twice read, considered and adopted, to wit:

Resolved, That the Secretary of the Commonwealth be, and he is hereby directed, to lay before Senate, the date of the commissions and the time of their issuing to the following persons, viz. William M'Corkle, Charles Miner, Walter Forward, Andrew Kennedy, John M. Snowden and Thomas Atkinson, commissioned to print the laws of the present session.

Mr. Miller and Mr. Heister asked, and obtained leave of absence for the remainder of the session.



**The Clerk of the House of Representatives returned the bills, entitled as follow, to wit:**

1. "An act to raise by way of lottery a sum of money, to defray the expences incurred by the trustees of the German Lutheran congregation, in and near the village of Elizabethtown, in the county of Lancaster."

2. "An act to raise six thousand dollars by lottery for the purpose of building a church for the use of the Lutheran and Calvinist congregations, in the borough of Berks county, and for finishing the Presbyterian church in the borough of Pittsburg."

3. "An act directing the mode of settling accounts in the Land-office, and to prevent fraud in obtaining warrants for land."

4. "A further supplement to an act, entitled "An act to alter and amend the act, entitled "An act to regulate the general elections within this Commonwealth."

5. "An act authorizing the court of quarter sessions of the county of Westmoreland, to vacate that part of the State-road, that lies between Jones' mill, in said county, and the line of Somerset county."

6. "An act to enable Matthew Gaut and William Espey, to sell and convey certain lands therein mentioned."

7. "An act for the relief of John Steele."

And informed, that the House of Representatives have passed the said bills, the first five without amendment, and the two last with amendments, in which the concurrence of Senate is requested.

He further informed, that the House of Representatives have concurred the amendments by Senate, to the bills, entitled:

1. "An act concerning strays."

2. "A supplement to an act, entitled "An act to regulate arbitrations and proceedings in courts of justice."

3. "An act regulating township elections."

The amendments by the House of Representatives, to the bill, entitled "An act to enable Matthew Gaut

cretary of the Commonwealth, to cause to be printed one thousand five hundred copies of the supplement to the hundred dollar law," was again read.

Whereupon,

Resolved, That Senate do recede from their said amendment, and

Ordered, That the Clerk acquaint the House of Representatives thereof.

Moved by Mr. Vance and Mr. Martin,

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met,* That the Secretary of the Commonwealth, be, and he is hereby authorized and required, to receive proposals for the printing and half-binding copies of the minutes of the convention, by which the present Constitution was framed, including said Constitution, in the Pamphlet form, and shall contract, with the person, making the most favorable offer for the printing and half-binding of the same, and the expence incurred shall be paid out of any unappropriated monies in the treasury of the State, upon a warrant drawn by the Governor in the usual manner.

On motion of Mr. Vance and Mr. Martin,

The blank was filled with "twelve hundred" and the resolution as amended was adopted.


Ordered, That it be presented to the House of Representatives for concurrence.

On motion of Mr. Pennell and Mr. Martin,

The following resolution was twice read, considered and adopted, to wit:

Resolved, That the Secretary of the Commonwealth be, and he is hereby directed, to lay before Senate, the date of the commissions and the time of their issuing to the following persons, viz. William M'Corkle, Charles Miner, Walter Forward, Andrew Kennedy, John M. Snowden and Thomas Atkinson, commissioned to print the laws of the present session.

Mr. Miller and Mr. Heister asked, and obtained leave of absence for the remainder of the session.



The Clerk of the House of Representatives returned the bills, entitled as follow, to wit:

1. "An act to raise by way of lottery a sum of money, to defray the expences incurred by the trustees of the German Lutheran congregation, in and near the village of Elizabethtown, in the county of Lancaster."

2. "An act to raise six thousand dollars by lottery, for the purpose of building a church for the use of the Lutheran and Calvinist congregations, in Hamburg, Berks county, and for finishing the Presbyterian church in the borough of Pittsburg."

3. "An act directing the mode of settling accounts in the Land-office, and to prevent fraud in obtaining warrants for land."

4. "A further supplement to an act, entitled "An act to alter and amend the act, entitled "An act to regulate the general elections within this Commonwealth."

5. "An act authorizing the court of quarter sessions of the county of Westmoreland, to vacate that part of the State-road, that lies between Jones' mill, in said county, and the line of Somerset county."

6. "An act to enable Matthew Gaut and William Espey, to sell and convey certain lands therein mentioned."

7. "An act for the relief of John Steele."

And informed, that the House of Representatives have passed the said bills, the first five without amendment, and the two last with amendments, in which the concurrence of Senate is requested.

He further informed, that the House of Representatives have concurred the amendments by Senate, to the bills, entitled:

1. "An act concerning strays."

2. "A supplement to an act, entitled "An act to regulate arbitrations and proceedings in courts of justice."

3. "An act regulating township elections."

The amendments by the House of Representatives, to the bill, entitled "An act to enable Matthew Gaut

and William Espey, to sell and convey certain lands therein mentioned," were read as follow, to wit:

Section I, line 14, strike from the word "go" to the word "under" in line 16, both words inclusive, and insert in place thereof, the following: "in the first instance be applied to the payment, and discharge of the legacies aforesaid, and the residue thereof shall be distributed agreeably to the directions of"

Whereupon,

Resolved, That Senate concur therein; and

Ordered, That the Clerk acquaint the House of Representatives thereof.

The amendments by the House of Representatives, on the bill, entitled "An act for the relief of John Steele," were read as follow, to wit:

Section I, line 5, strike out "one hundred" and insert "seventy-six"

Line 6, strike out the word "north" and insert in place thereof the words "east or west"

Line 7, between the words "drawn by" insert the words "for that purpose"

Line 8, strike out the word "northern" and insert "east or west"

At the end of line 10, insert "and the residue of said tract shall be reserved for future appropriation by the Legislature"

Whereupon,

Resolved, That Senate concur therein; and

Ordered, That the Clerk acquaint the House of Representatives thereof.

Adjourned till 4 o'clock, P. M.

### *SAME DAY IN THE AFTERNOON.*

Moved by Mr. Sommer and Mr. Mayer,

Resolved, That the Speaker draw his warrant in favor of Adam Hart, for thirty-three dollars twenty-five cents, for carrying wood for the use of the Senate, during the present session.

The question on the motion, being put, was determined in the negative.

Mr. Pennell from the committee to whom was referred, this morning, the "Resolution directing the Secretary, to procure to be printed a competent number of the militia law of the present session," reported the same with amendments, which were read as reported.

Whereupon,

On motion and by special order,

The said resolution was again read, considered and adopted.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the same with amendments, in which the concurrence of that House is requested.

The amendments are—

Strike out "together with the rules and regulations for the discipline of the troops of the United States, by the Baron Steuben"

Strike out "first Monday in August" and insert "third Monday in June"

The Speaker laid before the Senate a letter from the Secretary of the Commonwealth, which was read as follows, to wit :

*Secretary's-Office, April 11, 1807.*

SIR,

IN compliance with their resolution of this day, I have the honor, to inform Senate, that the commissions to William M'Corkle, Charles Miner, Walter Forward, Andrew Kennedy, John M. Snowden and Thomas Atkinson, to print in their respective papers the laws of a general nature, passed the present session, bear date the sixth of last month.

I am respectfully, Sir,

Your obedient servant,

T. M. THOMPSON, *Secretary.*

*The Hon. P. C. LANE, Esq. }*

*Speaker of the Senate. }*

Adjourned till 6 o'clock, P. M.

The Clerk of the House of Representatives presented for signature, the bills, entitled as follow, to wit :

1. "A supplement to an act, entitled "An act to regulate arbitrations and proceedings in courts of justice."

2. "An act to raise six thousand dollars by lottery, for the purpose of building a church, for the use of the Lutheran and Calvinist congregations, in Hamburg, Berks county, and for finishing the Presbyterian church, in the borough of Pittsburg."

3. "An act to raise by way of lottery a sum of money, to defray the expences, incurred by the trustees of the German Lutheran congregation, in and near the village of Elizabethtown, in the county of Lancaster."

4. "A further supplement to the act, entitled "An act to alter and amend the act, entitled "An act to regulate the general elections within this Commonwealth."

5. "An act directing the mode of settling accounts in the Land-office, and to prevent frauds in obtaining warrants for land."

6. "A supplement to an act, entitled "An act to erect part of Lycoming, Huntingdon and Somerset counties, into separate county districts."

7. "An act authorizing the court of quarter sessions of the county of Westmoreland, to vacate that part of the State-road, that lies between Jones' mill, in said county, and the line of Somerset county."

8. "An act to enable Matthew Gaut, and William Espey, to sell and convey certain lands therein mentioned."

9. "An act to raise by way of lottery, a sum not exceeding three thousand five hundred dollars, for finishing a church, at Barren-hill, in the county of Montgomery."

10. "An act concerning strays."

11. "An act regulating township elections."
12. "An act for the relief of John Steele."

And he informed, that the House of Representatives, have concurred in the amendments by Senate, to the bill, entitled "An act making appropriations, and for other purposes" and to the "Resolution founded on the communications from the Legislature and Governor of Kentucky."

And further, that they have concurred the second amendment by Senate, to the "Resolution for the publication of the militia law, and for other purposes," but that they have non-concurred in the first.

Whereupon,

Resolved, That Senate do recede from their amendment, on the said resolution, not concurred in by the House of Representatives; and

Ordered, That the Clerk acquaint the House of Representatives thereof.

The Speaker signed the bills, presented for signature.

Adjourned till 9 o'clock, Monday morning.

---

*Monday, April 13, 1807.*

The Secretary of the Commonwealth, presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

The bill, entitled "An act extending the powers of the justices of the peace and aldermen, in certain cases," was presented to me, on Wednesday, the first instant, and as it has not been returned by me within ten days (Sundays excepted) since I received it, the bill, has now become a law. I have directed the Secretary,

to return it to the House of Representatives, in which it originated.

THOMAS M'KEAN.

*Lancaster, April 13, 1807.*

The Clerk of the House of Representatives presented for signature, the bill and resolutions, entitled as follow, to wit :

1. "An act making appropriations, and for other purposes."

2. "Resolution for publishing one thousand five hundred copies of the supplement to the hundred dollar law."

3. "Resolution founded on the communications from the Legislature and Governor of Kentucky."

4. "Resolution for publishing the militia law, and for other purposes."

Whereupon,

The Speaker signed the same.

On motion of Mr. Hart and Mr. Pennell,

The following resolution was twice read, considered and adopted, to wit :

Resolved, That the Speaker draw his warrant on the State-treasurer, in favor of George Bryan, Clerk of Senate, for two hundred dollars, to enable him, to procure wood and pay other contingencies of Senate, he to account therefor.

Whereupon,

A warrant was accordingly so drawn.

Mr. Hart from the committee appointed for that purpose, made report :

That the committee in conjunction with the committee of the House of Representatives, have, this day, presented to the Governor, for his approbation, the bills and resolutions, entitled as follow, to wit :

1. "An act to raise by way of lottery, a sum not exceeding three thousand five hundred dollars, for finishing a church at Barren-hill, in the county of Montgomery."



2. "A supplement to an act, entitled "An act to erect part of Lycoming, Huntingdon and Somerset counties, into separate county districts."

3. "A further supplement to the act, entitled "An act to alter and amend the act, entitled "An act to regulate the general elections within this Commonwealth."

4. "An act directing the mode of settling accounts in the Land-office, and to prevent frauds in obtaining warrants for land."

5. "An act to raise by way of lottery a sum of money, to defray the expences, incurred by the trustees of the German Lutheran congregation, in and near the village of Elizabethtown, in the county of Lancaster."

6. "An act to raise six thousand dollars by lottery, for the purpose of building a church, for the use of the Lutheran and Calvinist congregations, in Hamburg, Berks county, and for finishing the Presbyterian church, in the borough of Pittsburg."

7. "An act authorizing the court of quarter sessions of the county of Westmoreland, to vacate that part of the State-road, that lies between Jones' mill, in said county, and the line of Somerset county."

8. "A supplement to an act, entitled "An act to regulate arbitrations and proceedings in courts of justice"

9. "An act to enable Matthew Gaut, and William Espey, to sell and convey certain lands therein mentioned."

10. "An act concerning strays."

11. "An act for the relief of John Steele."

12. "An act regulating township elections."

13. "An act making appropriations, and for other purposes."

14. "Resolution for the publication of the militia law, and for other purposes."

15. "Resolution founded on the communications from the Legislature and Governor of Kentucky."

Adjourned till 2 o'clock, P. M.

## *SAME DAY IN THE AFTERNOON.*

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I HAVE, this day, approved and signed the following acts and resolutions of the General Assembly, and directed the Secretary, to return the same to the respective Houses, in which they originated:

1. "An act to raise by way of lottery, a sum not exceeding three thousand five hundred dollars, for finishing a church, at Barren-hill, in the county of Montgomery."

2. "An act making appropriations, and for other purposes."

3. "An act regulating township elections."

4. "An act directing the mode of settling accounts in the Land-office, and to prevent frauds in obtaining warrants for land."

5. "A supplement to an act, entitled "An act to erect part of Lycoming, Huntingdon and Somerset counties, into separate county districts."

6. "An act concerning strays."

7. "An act for the relief of John Steele."

8. "An act authorizing the court of quarter sessions of the county of Westmoreland, to vacate that part of the State-road, that lies between Jones' mill, in said county, and the line of Somerset county."

9. "A further supplement to the act, entitled "An act to alter and amend the act, entitled "An act to regulate the general elections within this Commonwealth."

10. "An act to enable Matthew Gaut and William Espey, to sell and convey certain lands therein mentioned."

11. "An act to raise by way of lottery a sum of money, to defray the expences incurred by the trustees of

the German Lutheran congregation, in and near the village of Elizabethtown, in the county of Lancaster."

12. "An act to raise six thousand dollars by lottery, for the purpose of building a church for the use of the Lutheran and Calvinist congregations, in Hamburg, Berks county, and for finishing the Presbyterian church in the borough of Pittsburg."

13. "A resolution relative to illegal impositions, alleged to have been imposed at the ports of Orleans and Natchez."

14. "A resolution relative to printing a sufficient number of copies of the act, entitled "An act for the regulation of the militia of the Commonwealth of Pennsylvania."

15. "A supplement to an act, entitled "An act to regulate arbitrations and proceedings in courts of justice."

THOMAS M'KEAN.

*Lancaster, April 13, 1807.*

The Clerk of the House of Representatives presented an extract from the Journal of that House, which was read as follows, to wit:

*"In the House of Representatives,*

*April 13, 1807.*

Resolved, That a committee be appointed, to join a committee of the Senate, to inform the Governor, that the Legislature have agreed to adjourn this day, and to know whether he has any further communications to make at this time; and

Ordered, That Messrs. Biddle, Hulme and Boyd be a committee for that purpose."

On motion of Mr. Sommer and Mr. Hart;

Resolved, That a committee be appointed, to wait upon the Governor in conjunction with the committee of the House of Representatives, to inform him, that the General Assembly have agreed, to adjourn this day, and to know whether he has any further communications to make; and

Ordered, That Mr. Sommer and Mr. Dorsey, be a committee for that purpose.

After some time,

Mr. Sommer reported that the joint committee had performed that service, and that the Governor informed the committee that he had no further communications to make.

On motion,

Mr. Brady was appointed, a committee to inform the House of Representatives "That the Senate is now ready to adjourn."

Mr. Lacock, a committee from the House of Representatives informed "That that House is ready to adjourn."

Mr. Brady from the committee appointed for the purpose reported, that the committee had acquainted the House of Representatives "That the Senate is now ready to adjourn."

Mr. Vance from the committee appointed for that purpose, made report, as follows, to wit:

That the committee in conjunction with the committee of the House of Representatives have deposited in the Rolls-office, the acts of the Legislature, passed during the present session, of which the following are the titles, to wit:

1. An act to encourage the killing of panthers.
2. An act for the relief of John Hart.
3. An act to enable Nicholas Swope, administrator Joseph Devoss, deceased, to convey a part of a tract and to Jacob Hough, assignee of John Devoss.

An act to enable Peter W. Gallaudet, of the State of Connecticut, to sell and convey one moiety of a certain plantation, messuage and lot of ground therein described.

4. An act authorizing the commissioners of Indiana county to levy and collect county taxes, in the county of Jefferson.

6. A supplement to the act, entitled "An act to alter the judiciary system of this Commonwealth, and to alter the time of holding the courts of common pleas and quarter sessions and orphan's court, in the county of Washington."

7. An act supplementary to an act, entitled "An act directing the sale of certain town-lots in the town of Beaver and other lands adjacent thereto."

8. An act for the relief of James Oglevia.

9. An act authorizing Jonathan Hill and Elizabeth Thatcher, executors to the estate of Daniel Hill, deceased, to convey a certain piece of land therein mentioned.

10. An act to enable the administrators of the estate of James Carmichael, deceased, to complete the title to certain lands sold by their intestate by certain articles of agreement.

11. An act further extending the act, entitled "An act for the relief of divers inhabitants of the county of Adams."

12. A supplement to the act, entitled "An act to provide for the erection of a house for the employment and support of the poor, in Montgomery county."

13. An act to authorize the Governor to incorporate a company, for making an artificial road by the nearest and best route through the counties of Wayne and Luzerne, beginning at the river Delaware where the proposed bridge is to be built near the town of Milford, thence through the said town and the counties aforesaid, to or near to the forty-third mile-stone, in the north line of the State.

14. An act to afford immediate relief to Dennis M'Knight, a soldier during the revolutionry war, and to grant him an annuity.

15. An act to establish a public ferry on the west side of the river Susquehanna, about eight miles above the mouth of Juniata river, in Cumberland county, and to vest the right thereof, in Mary Clark, her heirs and assigns.

16. An act to organize the provisional county of Cambria.

17. An act to enable aliens in certain cases to purchase and hold real estate within this Commonwealth.

18. An act authorizing certain trustees to sell and convey a plantation or tract of land in Chester county,

being the joint property of the Anabaptist congregation, in Vinecent township, and the congregation of St. Peters church, in Tredyffrin township.

19. An act for the relief of James Mitchell.

20. An act for the relief of divers purchasers of the confiscated estate of Harry Gordon, who were evicted from the same.

21. An act aiding the commissioners of Beaver county to procure water in the borough of Beaver.

22. An act authorizing the commissioners of Bedford and Indiana counties, to levy and collect county taxes for the years one thousand eight hundred seven and eight.

23. A further supplement to the act, entitled "An act to provide for the erection of a house for the employment and support of the poor, in the county of York.

24. An act for the relief of Isaac Ely.

25. An act authorizing the Secretary of the Commonwealth, to procure an additional number of copies of Carey and Bioren's edition of the laws, with Bioren's continuation.

26. An act enabling Anna Maria Hanke, the wife of Matthew Hanke, late Anna Maria Eyerly, widow and relict of Jacob Eyerly, junior, late of Nazareth, in the county of Northampton, deceased, and administratrix *de bonis non*, of the said Jacob Eyerly, junior, with the Will annexed to convey certain lands therein mentioned.

27. An act for the relief of Abraham Griffiths.

28. An act for the relief of Doctor Samuel Edmiston.

29. An act for establishing and confirming the place for holding the courts of justice, in the county district of M'Kean.

30. An act appointing a trustee in Centre county.

31. An act for the relief of Andrew Patterson.

32. An act to enable Jonathan Mifflin, to convey a part of a certain tract of land therein mentioned.

33. An act for the relief of James Ralston.

34. An act for the relief of William Sherrard.

35. An act declaring part of Brush creek in the county of Bedford, and parts of Allegheny river and Oswayo and Conondau creeks, in the counties of Potter and McKean, and Bald Eagle creek, in Centre county, public streams or highways.

36. An act to raise by way of lottery sundry sums of money for the purposes therein mentioned.

37. A supplement to an act, entitled "An act to enable the Governor of this Commonwealth to incorporate a company for opening a canal and lock navigation, between the rivers Schuylkill and Susquehanna by the waters of Tulpehocken, Quittapahilla and Swatara, in the counties of Berks and Dauphin."

38. An act authorizing the Governor to incorporate a company for making an artificial road from Harrisburg, through Lewistown and Huntingdon to Pittsburg.

39. An act for the relief of Jeremiah Loughrey.

40. An act to encourage the killing of squirrels and crows in certain parts of this Commonwealth.

41. A supplement to the act, entitled "An act to provide for the erection of a house for the employment and support of the poor, in the county of Dauphin."

42. An act granting to Joseph Salmon, a tract of donation land, in remuneration for his services and sufferings during the revolutionary war.

43. An act for the relief of Gasper Driver.

44. An act to enable Abraham Reist and Jacob Hostetter, to sell and convey a certain lot of ground therein mentioned.

45. An act establishing and confirming the place for holding the courts of justice, in the county district of Potter.

46. An act to provide for the erection of a house for the employment and support of the poor, in the county of Franklin.

47. An act granting a sum of money, to the trustees of the Reading academy, for the use of the said academy.

48. An act to enable Thomas Alleson and Samuel Agnew, to sell and convey certain lands therein mentioned.

49. An act to enable James Maris and Samuel Davis, administrators to the estate of Thomas West, deceased, to sell and convey certain real estate therein mentioned.

50. An act to incorporate the Philadelphia society for the encouragement of domestic manufactures.

51. An act for the relief of James Smith.

52. An act granting two thousand dollars to the commissioners of Erie county, for the purpose of erecting public buildings for the use of said county.

53. An act to regulate the fisheries in the river Susquehanna and its branches.

54. A supplement to an act, entitled "An act for the more speedy and effectual collection of certain debts due to this Commonwealth."

55. An act to incorporate the Lancaster and Susquehanna Insurance company.

56. An act to alter the time of holding the June fair in the borough and county of Lancaster.

57. An act granting to the trustees of the University of Pennsylvania, a sum of money, for the purpose of enabling them to establish a botanical garden.

58. An act establishing an academy in the borough of Wilkesbarre, in the county of Luzerne, and granting a sum of money thereto.

59. An act to enable Sarah Morgan, administratrix, and Jonathan Morgan, administrator to the estate of Isaac Morgan, deceased, to convey a tract of land, in Charlestown township, Chester county.

60. An act to repeal the nineteenth section of the act to regulate the general elections within this Commonwealth.

61. An act authorizing certain persons therein named to lease a tract of land situate in Falls township, Bucks



county, and to appropriate the rents thereof for the education of poor children in said township.

62. An act for the relief of Bernard Hubley, of the county of Northumberland.

63. An act to incorporate trustees for the Meadville academy, and to establish the same.

64. A supplement to an act, entitled "An act to erect the town of Canonsburg, in the county of Washington, into a borough."

65. A further supplement to the act, entitled "An act to provide for the erection of houses for the employment and support of the poor, in the counties of Chester and Lancaster," and A supplement to the act, entitled "An act to provide for the erection of a house for the employment and support of the poor, in the county of Delaware."

66. A supplement to an act, entitled "An act making an appropriation for the building a bridge in Somerset county."

67. An act granting George Huber and Michael Zeller a tract of donation land.

68. An act to provide for the enumeration of the taxable inhabitants and slaves within this Commonwealth.

69. An act making appropriations for improving the road leading from Milesburg, in Centre county, to Waterford in Erie county.

70. A supplement to an act, entitled "An act authorizing the Governor, to incorporate a company for making an artificial road, from the bank of the river Susquehanna opposite the borough of Harrisburg to Pittsburg."

71. An act to enable the Governor to incorporate a company, for making an artificial road, by the best and nearest route, from the borough of York, to the Maryland line, at the place the present York-road passes the same, or as near thereto, as the commissioners shall find expedient.

72. An act to raise by way of lottery a sum of money, for the purpose of improving the navigation of Penns creek, in Northumberland county.

73. An act granting an annuity to Archibald M'Fall.

74. An act to authorize the Secretary of the Land-office, to sign patents for land and land warrants.

75. An act to raise by way of lottery a sum of money, to defray the expences incurred by the trustees of the German Lutheran congregation, in and near the borough of Lancaster.

76. A supplement to an act, entitled "An act to enable the Governor of this Commonwealth, to incorporate a company, for making an artificial road from Lancaster, through Elizabethtown to Middletown."

77. A supplement to the act, entitled "An act directing the mode of selecting and returning jurors."

78. An act for exploring and marking a road from the point where the Coshecton and Great-bend turnpike passes through Moosic mountain, in a western direction to the west line of the State.

79. An act authorizing the court of quarter sessions of Butler county, to direct a review of that part of the State-road leading from Blair's gap, to the western boundary of the State, which lies between the twenty-fourth and twenty-seventh mile trees.

80. An act to enable Henry Hawkins, guardian of Maria Bicker, to sell certain real estate belonging to the said Maria.

81. An act to enable Samuel Jackson, of Allegheny county, to sell and convey certain land therein mentioned.

82. An act imposing certain penalties upon persons defrauding incorporated turnpike companies of their legal tolls, and also upon gate-keepers, for demanding or receiving in advance greater toll than in proportion to the distance travelled.

83. An act to enable Edward Tilghman, junior, in behalf of his wife Rebecca Tilghman, and the guardians of Ann Waln, Rebecca Wharton and Susan

Wharton, minors, to make partition of certain lands belonging to them and others as tenants in common.

84. An act for the removal of the powder magazine from the city of Philadelphia.

85. A further supplement to penal laws of this State.

86. An act for the relief of John Rybecker.

87. An act to authorize the sale and conveyance of the real estate of Philip Nicklin, by his surviving partner and legal representatives.

88. An act to annul the marriage of James Isaac Thomas Marshall, and Martha Marshall.

89. An act to confirm to George Bilger, a title to a certain lot of land, in the county of Montgomery.

90. An act to authorize the Governor to incorporate a company, for making an artificial road, from the Philadelphia and Lancaster turnpike road, in Lancaster county, at or near the Gap-tavern, to the line of the State of Delaware.

91. An act granting Jacob Bottimore, a tract of donation land.

92. An act for the relief of Edward Chisselden.

93. An act supplementary, to the several acts of this Commonwealth, concerning partitions, and for other purposes therein mentioned.

94. An act authorizing certain persons, to sell and convey a tract of land, the property of Westcain township, in the county of Chester.

95. An act to alter and amend an act, entitled "An act for the better support of the public credit," passed the tenth day of April, one thousand seven hundred and eighty-one.

96. An act granting a sum of money, to the trustees of the Union academy of Doylestown, in the county of Bucks, for the use of said academy.

97. An act granting a tract of donation land, to the heirs of John Allen.

98. An act for the protection of livery-stable-keepers and inn-keepers within this Commonwealth.

99. An act enjoining certain duties on the judges of the supreme court.

100. An act for the inspection of hogalard, intended for exportation.

101. An act to enable John Edgar and John Galloway, to convey certain town-lots, in the town of Mountpleasant.

102. An act making an appropriation, for improving the navigation of Le Bœuff, and French creeks, from Waterford to the south line of Erie county.

103. An act appropriating a sum of money, for laying out and opening a State-road from Logans Narrows, in the county of Huntingdon, to the State-road, leading to Presqu' isle.

104. A supplement to the act, entitled "An act for the relief and support of insolvent debtors."

105. An act to enable the Governor to incorporate a company, to make an artificial road from the courthouse, in the borough of Gettysburg, through Petersburg, to the Maryland line, near Biddle's mill.

106. An act for extending the width of Wharf-street, and regulating the wharves within the district of South-wark.

107. An act vacating a part of the Old York-road, and authorizing the court of quarter sessions, of Montgomery county, to direct a new road to be laid out in place thereof.

108. An act vesting a title to sixty acres of land, in Mahonoy township, Northumberland county, in certain trustees, and their successors for the benefit of a congregation, composed of Presbyterians and Lutherans.

109. An act to enable David Mahon, John Simpson and others, to restore a stream of water in the neighbourhood of Shippensburg, in the county of Cumberland, to its ancient course, and for other purposes therein mentioned.

110. A supplement to, and making perpetual an act, entitled "An act for the recovery of debts and demands, not exceeding one hundred dollars before a justice of the peace, and for the election of constables, and for other purposes."

111. An act to raise by way of lottery a sum of money, to defray the expences incurred by the trustees of the Lutheran congregation, in and near the village of Strasburg, in the county of Lancaster.

112. A supplement to an act, entitled "An act to erect Somerset-town, in the county of Somerset, into a borough."

113. An act authorizing the President of the United States, to open a road through that part of this State, lying between Cumberland, in the State of Maryland, and the Ohio river.

114. An act to raise by way of lottery, a sum not exceeding three thousand dollars, to enable the inhabitants of the borough of York, to bring in a stream of water, to supply their fire-engines, and for other purposes.

115. An act for extending an act, entitled "An act regulating and continuing the distribution of donation lands.

116. A further supplement to the act, entitled "An act for the regulation of the militia of the Commonwealth of Pennsylvania,"

117. An act to authorize Robert Kennedy, his heirs and assigns, to dig and support a mill race in and adjacent to the river Schuylkill near its falls.

118. An act to raise by way of lottery a sum of money, to defray the expence of completing a church in Stoystown, and for building a bridge over the Quemahoning creek, on the road leading from Stoystown to Ebensburg.

119. An act to authorize the Governor to incorporate a company, for erecting a bridge over the river Susquehanna, at the borough of Wilkesbarre, in the county of Luzerne.

120. A further supplement to an act, entitled "An act for offering compensation to the Pennsylvania claimants of certain lands in the Seventeen townships, in the county of Luzerne, and for other purposes therein mentioned."

121. "An act to authorize the Governor to incorporate a company, for erecting a bridge over the river Susquehanna, at the falls of Nescopeck, in the county of Luzerne."

122. An act for the regulation of the militia of the Commonwealth of Pennsylvania.

123. An act for raising by way of lottery, the sum of six thousand dollars, for defraying the expence of making an aqueduct to conduct water into the town of Meadville, and for other purposes.

124. An act authorizing the commissioners of Delaware county, to lay a tax on dogs.

125. An act making an appropriation for the improvement of certain roads in the western counties, and authorizing the courts of the respective counties, to appoint fit persons, to view and lay out the same.

126. An act erecting a middle district of the supreme court, and for other purposes.

127. An act for the relief of the representatives of John Fromberger, deceased.

128. An act to raise by way of lottery a sum of money, to enable the trustees of the Protestant Episcopal congregation, in the borough of Lancaster, to repair their steeple and house of worship.

129. An act to provide for the erection of a house for the employment and support of the poor, in the county of Bucks.

130. An act for the relief of Charles Thompson.

131. An act declaring the middle of the river Monongahela, the division line between the counties adjoining the same.

132. An act to provide for the erection of a poor-house, for the better relief and employment of the poor, in the townships of Oxford and Lower-Dublin, in the county of Philadelphia.

133. An act to render perpetual a certain act respecting the Philadelphia and Lancaster turnpike road.

134. An act for the relief of the supervisors of Cambria and Allegheny townships, in Cambria county.

135. An act directing the distribution of the Journals printed in the English language, and for other purposes.

136. An act for the further establishment and regulation of election districts.

137. An act making appropriations for certain roads therein mentioned, and also for improving the navigation of certain rivers.

138. An act to enforce the collection and settlement of tavern licences, militia exempt fines, and for other purposes.

139. An act extending the powers of the justices of the peace and aldermen, in certain cases.

140. An act to raise by way of lottery, a sum not exceeding three thousand five hundred dollars, for finishing a church at Barren-hill, in the county of Montgomery.

141. A further supplement to an act, entitled "An act to erect parts of Lycoming, Huntingdon and Somerset counties, into separate county districts."

142. A further supplement to the act, entitled "An act to regulate the general elections within this Commonwealth."

143. An act directing the mode of settling accounts in the Land-office, and to prevent frauds in obtaining warrants.

144. An act to raise by way of lottery a sum of money, to defray the expences, incurred by the trustees of the German Lutheran congregation, in and near the village of Elizabethtown, in the county of Lancaster.

145. An act to raise six thousand dollars by lottery, for the purpose of building a church, for the use of the Lutheran and Calvinist congregations, in Hamburg, Berks county, and for finishing the Presbyterian church, in the borough of Pittsburg.

146. An act authorizing the court of quarter sessions of Westmoreland county, to vacate that part of the State-road, that lies between Jones' mill, in said county, and the line of Somerset county.

147. A supplement to an act, entitled "An act to regulate arbitrations and proceedings in courts of justice."

148. An act to enable Matthew Gaut, and William Espey, to sell and convey certain land, therein mentioned.

149. An act concerning strays.

150. An act for the relief of John Steele.

151. An act regulating township elections.

152. An act for making appropriations, and for other purposes.

### RESOLUTIONS.

1. Authorizing the printing of six hundred copies of the Journals of General Assembly, additional.

2. Directing the Secretary of the Commonwealth, to make a further distribution of the laws of this State, printed by Carey and Bioren, and also of the trial of the judges of the supreme court; printed by William Hamilton.

3. Directing the distribution of the seventh volume of the laws of Pennsylvania; printed by Bioren.

4. Requiring the Surveyor-general, on application, to furnish certified copies of drafts of depreciation and donation lands, for the commissioners of the counties in which they lie.

5. Relative to the prevention of the importation of slaves.

6. Authorizing and requiring the Secretary of the Commonwealth, to distribute the Journals, printed in the German language.

7. Relative to the publication of laws in newspapers.

8. Directing the Secretary, to furnish each Member of the Legislature, with a copy of the laws of the present session, through the respective prothonotaries.

9. Directing the Governor, to transmit to the President of the United States, a copy of the act, authorizing a turnpike through that part of this State, between Cumberland and the Ohio river.



10. Directing the printing of a sufficient number of copies of the militia law, of the present session.

11. Respecting the illegal exactions practised at the ports of Natchez and New-Orleans, on the trade passing down the Mississippi.

Whereupon,

The Senate adjourned, *sine die*.

GEORGE BRYAN, C. S.

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## “ IN SENATE,

27th March and 3d April, 1807.

Resolved, That the Clerk of the Senate insert at the end of the Journal of this session, the titles of all petitions, reports, bills and resolutions; that have been, or may be acted upon, and left unfinished, together with the titles of all petitions, reports, bills and resolutions, that have been, or may be postponed and recommended to the special attention of the next Legislature.”

“Petition of Edmond Milne,” referred 6th April, 1807, but not reported on.

“Report of the committee to whom was referred on the 23d January, the petition of the subscribers thereto, inhabitants of the Northern Liberties, praying, that the said Liberties may be divided for election purposes,” (30th March, not acted on.)

“Report of the committee to whom was referred the petition of the subscribers thereto, inhabitants of Northumberland county, respecting roads,” (11th March, not acted on.)

“Report of the committee on the petition of the trustees of Northumberland academy,” (7th April, not acted on.)

scribers thereto, inhabitants of Derry township, Northumberland county, for an alteration in their election district," (6th April, not acted on.)

"Report of the committee on the subject of weights and measures." (3d April, postponed till next session.)

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## Bills and Resolutions.

"Resolution respecting the presentation of petitions &c. to the General Assembly," (postponed for the present 13th December, 1806.)

The bill, entitled "An act to provide for the erection of a house for the employment and support of the poor, in the county of Cumberland," (postponed on the 5th February 1807, till next session.)

"An act making appropriations for the repair of public roads in several of the counties of this Commonwealth," postponed for the present, 10th February.

"An act for the relief of Francis Johnston," negatived in committee of the whole, the 2d March, and not further acted on.

"Further supplement to incorporation of Philadelphia, originated in Senate," (25th March, postponed and recommended to the attention of the Senate, at their next session.)

"An act to authorize the Governor, to subscribe on behalf of the Commonwealth, for shares in certain turnpike roads," 30th March, postponed till next session.

"An act allowing the Philadelphia bank, establish branches," 30th March, postponed till next session.

An act to repeal in part an act, entitled "An act for sale of unappropriated islands in the rivers Ohio, Allegheny and Delaware," 2d April, postponed till next session.

A further supplement to an act, entitled "An act for laying out, making and keeping in repair the public roads and highways within this Commonwealth, and for laying out private roads," 3d April, postponed till next session.

"An act granting to Edward Beeby, a tract of donation land," postponed till next session, 3d April.

# *Expiration of the Appointments of the Members of Senate.*

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1807.

Edward Heston,  
John Richards,  
Thomas Mewhorter,  
Rudolph Spangler,  
James Poe,  
James Brady.

1808.

William Pennell,  
Joseph Hart,  
Christopher Mayer,  
Gabriel Heister,  
James Harris,  
Joseph Vance.

1809.

Jacob Sommer,  
William Lattimore,  
William Miller,  
David Mitchell,  
Henry Wertz, junior,  
James Martin,  
William M'Arthur.

1810.

John Dorsey,  
Isaac Wayne,  
Amos Slaymaker,  
Melchior Rahm,  
James Laird,  
Presley Carr Lane.

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## APPENDIX.

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## **“ IN SENATE,**

*Friday, March 13th, 1807.*

**Resolved, That the Reports of the several Officers of the Land and Treasury Departments, of the Contingent Expences of their Offices, be entered in detail, and attached to the Journal as an Appendix.”**

# APPENDIX.

*An account of the expenditures in the office of the Secretary of the Land-office of Pennsylvania, from the 1st day of October, 1805, to the 30th day of September, 1806, both days inclusive, viz.*

|            |       |                                             | Dolls. | Cts.   |
|------------|-------|---------------------------------------------|--------|--------|
| 1805.      |       |                                             |        |        |
| October 1, | To    | cash paid Joseph Hershey, for wood          | -      | 5 50   |
| 3,         | Ditto | Thomas Butcher, for G. Moore,               |        |        |
|            |       | P. M. for postage on public letters, three  |        |        |
|            |       | months                                      | -      | 6 52½  |
| 9,         | To    | cash paid Christian Newcomer, for wood      | 4      | 87     |
| 24,        | Ditto | James Clendenin, glazing windows            |        | 31½    |
| Nov. 2,    | Ditto | Christian Shenck, for wood                  | 11     |        |
| 7,         | Ditto | John Dersh, for binding books               | 5      | 75     |
| 8,         | Ditto | Christian Shenck, for wood                  | 5      | 50     |
| 9,         | Ditto | Francis Bailey, for parchment and           |        |        |
|            |       | printing patents                            | 132    | 12½    |
| 19,        | Ditto | John Reitzell, for penknives                | 40     |        |
| Dec. 3,    | Ditto | Christian Shenck, for wood                  | 5      | 50     |
| 4,         | Ditto | James Smith, penknife                       | 25     |        |
| 12,        | Ditto | George Rodgers, for sawing wood             |        |        |
|            | &c.   | -                                           | 4      | 70     |
|            | Ditto | postage on public letters sent              | 1      | 17     |
| 31,        | One   | quarter's rent of office                    | 33     | 33     |
| 1806.      |       |                                             |        |        |
| Jan. 3,    | Ditto | Thomas Butcher, for George                  |        |        |
|            |       | Moore, P. M. for postage on public letters, |        |        |
|            |       | three months                                | 4      | 76½    |
| 14,        | Ditto | George Moore, for stationary                | 2      |        |
| 17,        | Ditto | John P. Helfenstein, for taste              | 50     |        |
|            |       | Carried forward                             | \$     | 224 20 |

## APPENDIX.

|           |                                                                                       | Dolls. Cts.     |
|-----------|---------------------------------------------------------------------------------------|-----------------|
| 1806.     | Brought forward                                                                       | 224 20          |
| Jan. 21,  | To cash paid George Rodgers, for work done for the office                             | 60              |
|           | Ditto John Hoff                                                                       | 50              |
| Feb. 11,  | Ditto John Gundacker, for stationary                                                  | 50              |
|           | Ditto Francis Bailey, for parchment and printing patents                              | 181 25          |
| March 11, | Ditto George Rodgers, for work done for the office                                    | 50              |
| 12,       | Ditto William Hamilton, for stationary, printing, &c.                                 | 88 22           |
| 22,       | Ditto Christian Rine, for carpenterwork done for office                               | 40              |
| 31,       | Ditto One quarter's office rent                                                       | 33 33           |
| April 3,  | Ditto Thomas Butcher, for George Moore, P. M. postage on public letters, three months | 4 90½           |
| May 12,   | Ditto Haunch and Bundle, for mending lock of office-door                              | 50              |
| 27,       | Ditto William Hamilton, parchment and printing patents                                | 80              |
| June 18,  | Ditto David Reyner, for penknife                                                      | 60              |
|           | Ditto Postage and public letters sent                                                 | 10              |
| 30,       | Ditto One quarters office rent                                                        | 33 33           |
| July 5,   | Ditto George Moore, P. M. postage on public letters, three months                     | 5 22            |
| 8,        | Ditto George Moore, for stationary                                                    | 21 62½          |
| 11,       | Ditto John P Helfenstein                                                              | 27              |
| Aug. 23,  | Ditto David Niess, junior, two warrant books                                          | 61 50           |
| Sept. 4,  | Ditto David Niess, junior, binding laws                                               | 50              |
| 22,       | Ditto William Kirkpatrick, for stationary                                             | 1 66½           |
| 27,       | Ditto William Hamilton, for parchment and printing patents                            | 191 44          |
|           | Ditto On public letters sent                                                          | 37              |
| 30,       | Ditto One quarter's office rent                                                       | 33 33           |
|           |                                                                                       | <hr/>           |
|           |                                                                                       | Dollars 964 85½ |



*An account of the contingent expences of the Register-general's office, from 1st January, 1806, to the 1st January, 1807.*

| 1806.            |                                                                                     | Dolls. Cts.           |
|------------------|-------------------------------------------------------------------------------------|-----------------------|
| <i>January,</i>  | <i>Paid</i> Samuel Patterson, for one cord of wood                                  | 5 50                  |
|                  | David Niess, for binding three volumes laws                                         | 1                     |
|                  | Miles Reiley, sawing wood                                                           | 90                    |
|                  | David Niess, binding an account-current book                                        | 3                     |
|                  | Christopher Mayer, one pair of snuffers                                             | 17                    |
|                  | Isaac Gilmore, sweeping chimney                                                     | 25                    |
|                  | David Niess, binding one volume Register-general's reports                          | 33                    |
|                  | Thomas Butcher, postage from the first of October, 1805, to the first January, 1806 | 3 32                  |
|                  | For an almanac for office use                                                       | 6                     |
|                  | George Moore, for paper                                                             | 50                    |
|                  | Miles Reiley, splitting wood                                                        | 25                    |
| <i>February,</i> | For office rent, from October first, 1805, to first April, 1806, six months         | 66 66                 |
| <i>April,</i>    | Thomas Butcher, postage to the first April                                          | 5 62                  |
|                  | John Keller, assisting to remove the office                                         | 1                     |
|                  | For sweeping chimney                                                                | 25                    |
| <i>May,</i>      | For a cord for Venetian blinds                                                      | 20                    |
|                  | For book cases                                                                      | 9 87                  |
| <i>July,</i>     | Postage to July first                                                               | 7 45                  |
|                  | For binding Senate Journal                                                          | 33                    |
|                  | Office rent to the first July                                                       | 33 33                 |
|                  | William Martin, for carting wood                                                    | 56                    |
| <i>August,</i>   | Henry Miller, for binding one volume State laws                                     | 40                    |
|                  | For a cupboard brush                                                                | 20                    |
| <i>October,</i>  | Postage to the first of October                                                     | 6 21                  |
|                  | Office rent to the first ditto                                                      | 33 33                 |
|                  |                                                                                     | <hr/>                 |
|                  |                                                                                     | <i>Dollars</i> 180 69 |

*An account of the contingent expenses of the Receiver-general's office, from the 1st day of January, 1806, to the 31st day of December, following: both days inclusive.*

| 1806.     |                                                               | Dolls.         | Cts.         |
|-----------|---------------------------------------------------------------|----------------|--------------|
| Jan. 2,   | To cash paid postage on letters, public service               | 1              | 39           |
| 14,       | Ditto George Moore's bill, for stationary                     | 5              | 50           |
| March 29, | Ditto Isaac Gilmore, for sweeping office, chimney, &c.        |                | 35           |
| 31,       | Ditto Christopher Marshall, one quarter's office rent         | 33             | 33           |
| April 1,  | Ditto postage on public letters                               | 8              | 45           |
| 5,        | Ditto George Moore's bill, for stationary                     | 6              | 52           |
| 10,       | Ditto William Dickson's bill, for ditto                       | 10             | 25           |
| June 11,  | Ditto Ann Wilson's bill, for scrubbing and washing office     | 1              | 20           |
| July 3,   | Ditto Christopher Marshall, for office rent                   | 33             | 33           |
| 5,        | Ditto postage on letters, public service                      | 1              | 22           |
| 8,        | Ditto Samuel White's bill, for stationary                     | 12             | 5            |
| Aug. 1,   | Ditto Henry Miller, binding ledger and alphabet, &c.          | 14             | 40           |
| Sept. 19, | Ditto Michael Stoner, repairing and covering desks, &c.       | 12             | 2            |
| 24,       | Ditto Samuel White's bill, for paper for a new set of books   | 31             | 67           |
| 30,       | Ditto Christopher Marshall, for one quarter's office rent     | 33             | 33           |
| Oct. 1,   | Ditto Isaac Gilmore, sweeping office, chimney                 |                | 25           |
| 3,        | Ditto postage on letters, public service                      |                | 94           |
| 18,       | Ditto Henry Miller, binding ledger, journal, alphabet, &c.    | 22             | 50           |
| 24,       | Ditto Michael Heiss, repairing and putting up stove pipe, &c. |                | 67           |
| 31,       | Ditto William Kirkpatrick, for 200 quills                     | 1              | 33           |
| Nov. 6,   | Ditto John R. Matthews, for printing 30 quire blanks          |                | 30           |
| 18,       | Ditto Christopher Kurtz, for three quarters cord hickory wood | 3              | 75           |
| Dec. 16,  | Ditto Buster Lindsey, for one cord ditto                      | 7              | 50           |
| 18,       | Ditto Jacob Young, for one ditto                              | 6              | 75           |
| 31,       | Ditto Christopher Marshall, for one quarter's office rent     | 33             | 33           |
|           |                                                               | <b>Dollars</b> | <b>312 3</b> |

*An account of the contingent expences of the Treasury office, for one year.*

|                                                                      | <i>Dolls.</i>  | <i>Cts.</i>   |
|----------------------------------------------------------------------|----------------|---------------|
| Sweeping office, chimney - - - - -                                   | 75             |               |
| William Dickson, stationary - - - - -                                | 9              | 50            |
| Mending key, for iron chest - - - - -                                | 25             |               |
| Postage on exempt returns and public letters - - - - -               | 8              | 21            |
| Expences to Philadelphia, in doing business with the banks - - - - - | 29             |               |
| Firewood, sawing, &c. - - - - -                                      | 23             | 15            |
| Four panes and glazing office windows - - - - -                      | 62             |               |
| One year's office rent - - - - -                                     | 133            | 33            |
|                                                                      | <hr/>          |               |
|                                                                      | <i>Dollars</i> | <i>204 81</i> |

*An account of the contingent expences of the Surveyor-general's office, (including the board of property) for one year, ending with the 30th September, 1806.*

|                                                                       | <i>Dolls.</i> | <i>Cts.</i>   |
|-----------------------------------------------------------------------|---------------|---------------|
| Cash paid for eight cords of wood - - - - -                           | 44            |               |
| Ditto David Barton, for a stove, &c. - - - - -                        | 22            | 1             |
| Ditto Michael Kline, for shoeing stove, and making pipe - - - - -     | 143           |               |
| Ditto John Getz, for binding books - - - - -                          | 16            | 87½           |
| Ditto Nathaniel Hantch, for mending screws - - - - -                  | 2             |               |
| Ditto Thomas Barton, for stationary - - - - -                         | 3             |               |
| Ditto Jacob Dealing, for tape, &c. - - - - -                          | 7             | 1             |
| Ditto Postage on public letters - - - - -                             | 6             | 45½           |
| Ditto Office rent and rent of board room, one quarter - - - - -       | 43            | 33            |
| Ditto Samuel Humes, for chairs - - - - -                              | 18            |               |
| Ditto Christopher Frick, for one cord of wood - - - - -               | 5             |               |
| Ditto Philip Kline, for a scraper - - - - -                           | 73            |               |
| Ditto William Dickson's bill, for stationary, printing, &c. - - - - - | 5             | 40            |
| Ditto Postage on public letters - - - - -                             | 7             | 51            |
| Ditto Doctor Moore, for stationary - - - - -                          | 26            | 82            |
|                                                                       | <hr/>         |               |
| Carried forward - - - - -                                             | <i>\$</i>     | <i>215 87</i> |

## APPENDIX.

|                 |                                               | Dolls. Cts.     |
|-----------------|-----------------------------------------------|-----------------|
| Brought forward |                                               | 215 87          |
| Cash paid       | Francis Woods, sawing and splitting wood, &c. | 11 40           |
| Ditto           | James Clendenin, glazing office windows       | 62              |
| Ditto           | Doctor Herbst, for gum arabic                 | 12½             |
| Ditto           | Rent, &c.                                     | 43 33           |
| Ditto           | David Niess, for binding books                | 25 45           |
| Ditto           | William Hamilton, for paper                   | 10 50           |
| Ditto           | Samuel White, for stationary                  | 81              |
| Ditto           | George Moore, for ditto                       | 5 75            |
| Ditto           | Postage on public letters                     | 9 7½            |
| Ditto           | James Clendenin, glazing office windows       | 31              |
| Ditto           | Rent, &c.                                     | 43 33           |
| Ditto           | Christian Rine, putting up sun cloth          | 4               |
| Ditto           | Christopher Mayer, small nails                | 50              |
| Ditto           | Samuel White, for stationary                  | 10 21           |
| Ditto           | James Clendenin, glazing windows              | 1               |
| Ditto           | Postage on public letters                     | 9 24            |
| Ditto           | Patterson Bill, for paper                     | 8               |
| Ditto           | For gum arabic                                | 50              |
| Ditto           | Rent, &c.                                     | 43 33           |
|                 |                                               | <hr/>           |
|                 |                                               | Dollars 528 54. |

*An account of the contingent expences of the Comptroller-general's office, for one year, ending with the 28th day of February, 1807.*

| 1806.           |                                                              | Dolls. Cts.    |
|-----------------|--------------------------------------------------------------|----------------|
| March 7,        | Cash paid stage-hire to Philadelphia, on public business     | 4              |
| 11,             | Ditto ditto returning                                        | 4              |
|                 | Ditto Expences, five days, at \$ 1 50                        | 7 50           |
|                 | Ditto Carriage of trunk and papers                           | 37½            |
|                 | Ditto Sheriff in the trial of N. Brossius and Cryer of court | 4 25           |
| 22,             | Ditto Henry Slaymaker, carriage of a ledger                  | 37½            |
| 31,             | Ditto Thomas Butcher, three months postage on public letters | 11 95          |
| Carried forward |                                                              | <hr/> \$ 32 45 |

# APPENDIX.

87

| 1806.      |           |                                                                   | Dolls Cts.     |
|------------|-----------|-------------------------------------------------------------------|----------------|
|            |           | Brought forward                                                   | 32 45          |
| June 14,   | Ditto     | Jacob Martin, on year's office rent                               | 200            |
| 23,        | Cash paid | Stage-hire to Philadelphia, to attend trial of J. Donaldson       | 4              |
| 27,        | Ditto     | ditto returning                                                   | 4              |
|            |           | Expences, 5 days, at \$ 1 50                                      | 7 50           |
| July 8,    | Ditto     | Thomas Butcher, postage on public letters, three months           | 11 40          |
| 11,        | Ditto     | Henry Miller, binding books, &c.                                  | 10 5           |
| Aug. 27,   | Ditto     | M. Zahm, for twine, brush, nails, awl, pitcher, &c.               | 89½            |
|            | Ditto     | For a set of keys for office                                      | 66             |
|            | Ditto     | For sweeping chimney                                              | 20             |
| October 6, | Ditto     | Thomas Butcher, postage on public letters, three months           | 9 7½           |
| 22,        | Ditto     | James Downey, cleaning stove pipe, removing iron chest, &c.       | 1              |
| Nov. 18,   | Ditto     | Isaac Stroom, for one cord of hickory wood                        | 5 50           |
|            | Ditto     | Henry Lichty, for ditto ditto                                     | 4 75           |
| 25,        | Ditto     | John Murphy, sawing and carry do                                  | 2              |
| Dec. 22,   | Ditto     | John Steman, for one cord hickory wood                            | 6 50           |
| 1807.      |           |                                                                   |                |
| Jan. 1,    | Ditto     | D. Heiss, postage on public letters, three months                 | 4 57           |
| 12,        | Ditto     | Abraham Huber, for two and a quarter cords of hickory wood        | 12 75          |
|            | Ditto     | John Murphy, sawing, splitting and up three quarter cord of wood  | 1              |
| 17,        | Ditto     | Erhard Hemphriz, ditto ditto one and half ditto                   | 1 37½          |
| 28,        | Ditto     | Miles Reiley, putting up stove, cleaning pipe, carrying wood, &c. | 6              |
| 29,        | Ditto     | John Halstead, one cord of wood                                   | 4              |
|            | Ditto     | For nails, sheepskins, twine, almanac and sweeping chimney        | 3 9            |
| 31,        | Ditto     | Isaac Gilmore, sweeping chimney                                   | 20             |
|            | Ditto     | George Hyde, for a ledger                                         | 38 50          |
|            | Ditto     | Samuel White, for stationary                                      | 15 87          |
|            |           |                                                                   | Dollars 388 33 |

“IN SENATE,

*April 10, 1807.*

Ordered, That the Clerk enter the List of Appointments in detail.”

# APPENDIX.

11

## LIST of APPOINTMENTS by the GOVERNOR from March 28th, 1806, until April, 1807.

| <i>Persons Appointed.</i> | <i>To what Office.</i>      | <i>Dates of Commissions.</i> | <i>Names of Sureties.</i>       |
|---------------------------|-----------------------------|------------------------------|---------------------------------|
| William Ellis,            | Dep. Surveyor, Lycoming     | March 28, 1806.              | Henry Drinker, Thomas Stewart.  |
| James Johnston,           | ditto Jefferson,            | same day,                    | Thomas Johnston, James Speer.   |
| Joseph Williams,          | ditto Potter,               | same day,                    | J. Cummings, J. Rose, J. Kidd.  |
| William Foulke,           | ditto McKean,               | same day,                    | Wm. Foulke, sen. A. Berryhill.  |
| Samuel Stewart,           | ditto Clearfield,           | same day,                    | Michael Ross, James Winters.    |
| John C. Stewart,          | ditto Mercer,               | same day,                    | Cun. S. Sample, William Byers.  |
| Thomas Smith,             | ditto Erie,                 | same day,                    | Thomas Grant, Alexander Hunter. |
| James Miller,             | ditto Crawford,             | same day,                    | J. M. Miller, S. Clendinnin.    |
| Samuel Dale,              | ditto Warren,               | same day,                    | John Kelly, James Thompson.     |
| Abraham Dæbler,           | Brigade Inspector, Dauphin, | April 1, 1806.               | Peter Gloninger.                |
| James M. Riddle,          | Notary Public, Huntingdon,  | same day,                    | Samuel Riddle, A. Henderson.    |
| John Ficks, 5th District, | Justice of Peace, Adams,    | same day,                    |                                 |
| Robert McIlheny, 2d do.   | ditto ditto                 | same day,                    |                                 |
| Ebenezer Denny, 1st do.   | ditto Allegheny,            | same day,                    |                                 |
| George Robinson, 1st do.  | ditto ditto                 | same day,                    |                                 |
| Wm. Thompson, 7th do.     | ditto ditto                 | same day,                    |                                 |
| James Clark, 3d do.       | ditto Armstrong,            | same day,                    |                                 |
| Joseph Brown, 1st do.     | ditto Bucks,                | same day,                    |                                 |
| Henry Clymer, 2d do.      | ditto ditto                 | same day,                    |                                 |
| A. Schlichter, 10th do.   | ditto ditto                 | same day,                    |                                 |
| Henry Hahn, 1st do.       | ditto Berks,                | same day,                    |                                 |
| Joseph Hain, 1st do.      | ditto ditto                 | same day,                    |                                 |
| Henry Bower, jr. 4th do.  | ditto ditto                 | same day,                    |                                 |
| Caleb Jones, 5th do.      | ditto ditto                 | same day,                    |                                 |

No Sureties required.

## LIST, &amp;c. Continued.

| <i>Persons Appointed.</i>  | <i>To what Office.</i> | <i>Dates of Commissions.</i> | <i>Names of Sureties.</i> |
|----------------------------|------------------------|------------------------------|---------------------------|
| Jacob Bower, 7th District. | Justice of Peace,      | April 1, 1806.               | No Sureties required.     |
| J. Thompson, 12th do.      | ditto                  | same day,                    |                           |
| John Hunter, 10th do.      | ditto                  | same day,                    |                           |
| David Johnston, 3d do.     | ditto                  | same day,                    |                           |
| John Walt, 3d do.          | ditto                  | same day,                    |                           |
| Josiah Crawford, 3d do.    | ditto                  | same day,                    |                           |
| Elisha Moore, 4th do.      | ditto                  | same day,                    |                           |
| Joseph Miles, 4th do.      | ditto                  | same day,                    |                           |
| Thomas McClure 4th do.     | ditto                  | same day,                    |                           |
| Arthur Bell, 4th do.       | ditto                  | same day,                    |                           |
| Hugh Hall, 4th do.         | ditto                  | same day,                    |                           |
| Abr. Darlington, 3d do.    | ditto                  | same day,                    |                           |
| Thomas Love, 9th do.       | ditto                  | same day,                    |                           |
| Michael Lynch, 13th do.    | ditto                  | same day,                    |                           |
| John Davidson, 3d do.      | ditto                  | same day,                    |                           |
| George Pattison, 7th do.   | ditto                  | same day,                    |                           |
| James Kerr, 6th do.        | ditto                  | same day,                    |                           |
| Henry Hockley, 1st do.     | ditto                  | same day,                    |                           |
| James Scott, 4th do.       | ditto                  | same day,                    |                           |
| Wm. Culbertson, 4th do.    | ditto                  | same day,                    |                           |
| Jacob Hildebrand, 5th do.  | ditto                  | same day,                    |                           |
| James Wilson, 4th do.      | ditto                  | same day,                    |                           |
| Joseph Kithcart, 10th do.  | ditto                  | same day,                    |                           |
| George Clark, 4th do.      | ditto                  | same day,                    |                           |



## LIST, &amp;c. Continued.

| <i>Persons Appointed.</i>  | <i>To what Office.</i>     | <i>Dates of Commissions.</i> | <i>Names of Sureties.</i> |
|----------------------------|----------------------------|------------------------------|---------------------------|
| J. Moorehead, 4th District | Justice of Peace, Indiana, | April 1, 1806.               | No Sureties required.     |
| Wm. Hamilton, 4th do.      | ditto                      | same day,                    |                           |
| John Eberman, 1st do.      | ditto                      | same day,                    |                           |
| David Huss, 3d do.         | ditto                      | same day,                    |                           |
| William Stocum, 4th do.    | ditto                      | same day,                    |                           |
| J. Shoemaker, 2d do.       | ditto                      | same day,                    |                           |
| James Ecroyd, 3d do.       | ditto                      | same day,                    |                           |
| Nathan Allen, 6th do.      | ditto                      | same day,                    |                           |
| Daniel St. Clair, 1st do.  | ditto                      | same day,                    |                           |
| A. Benuezett, 10th do.     | ditto                      | same day,                    |                           |
| Jacob Reigart, 2d do.      | ditto                      | same day,                    |                           |
| H. Bankholder, 8th do.     | ditto                      | same day,                    |                           |
| Peter Rambo, 1st do.       | ditto                      | same day,                    |                           |
| Wm. McMillan, 2d do.       | ditto                      | same day,                    |                           |
| Arthur Harry, 3d do.       | ditto                      | same day,                    |                           |
| Wm. McClane, 5th do.       | ditto                      | same day,                    |                           |
| Allen Dunn, 6th do.        | ditto                      | same day,                    |                           |
| Philip Schrawder, 3d do.   | ditto                      | same day,                    |                           |
| Henry Donnell, 1st do.     | ditto                      | same day,                    |                           |
| S. Marckley, 1st do.       | ditto                      | same day,                    |                           |
| John Weizel, 1st do.       | ditto                      | same day,                    |                           |
| John Thompson, 3d do.      | ditto                      | same day,                    |                           |
| John McKissick, 17th do.   | ditto                      | same day,                    |                           |

## LIST, &amp;c. Continued.

| <i>Persons Appointed.</i>  | <i>To what Office.</i>        | <i>Dates of Commissions.</i> | <i>Names of Sureties.</i> |
|----------------------------|-------------------------------|------------------------------|---------------------------|
| Francis Gardner, 6th Dist. | Justice of Peace, Washington, | April 1, 1896.               | No Sureties required.     |
| C. Eighlenberger, 1st do.  | ditto Wayne,                  | same day,                    |                           |
| Ignatius Leitner, 1st do.  | ditto York,                   | same day,                    |                           |
| Wm. Morrison, 4th do.      | ditto ditto                   | same day,                    |                           |
| Anthony Hines, 12th do.    | ditto ditto                   | same day,                    |                           |
| A. Wallace, 13th do.       | ditto ditto                   | same day,                    |                           |
| Mahlon Dickerson,          | Commissioners in the case     | March 31,                    |                           |
| John Sergeant,             | of a bankrupt, City of Phi-   | April 10,                    |                           |
| Peter Lohra,               | ladelphia.                    |                              |                           |
| Nathaniel Falconer,        | Master Warden, Port Philada.  |                              |                           |
| Charles Penrose,           |                               |                              | No Sureties required.     |
| Paul Coxey,                | Assistant Wardens.            | same day,                    |                           |
| William Davis,             |                               |                              |                           |
| Robert Rakston,            |                               |                              |                           |
| Henry Hawkins,             |                               |                              |                           |
| Wm. Jones Keene,           |                               |                              |                           |
| John Lobenguire,           | Commissioners for running,    | April 17,                    |                           |
| Martin Slayter,            | marking and ascertaining      |                              |                           |
| Alexr. McClean,            | part of the boundary line     |                              |                           |
|                            | of Fayette and Westmore-      |                              |                           |
|                            | land counties.                |                              |                           |
| Joseph Heister,            | Commissioner on Nichol-       | April 21,                    |                           |
|                            | sons estate, in the room of   |                              |                           |
|                            | John Steele, resigned,        |                              |                           |

# LIST, &c. Continued.

## APPENDIX.

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| <i>Persons appointed.</i> | <i>To what Office.</i>          | <i>Dates of Commissions.</i> | <i>Names of Sureties.</i>       |
|---------------------------|---------------------------------|------------------------------|---------------------------------|
| Amos Slaymaker,           | Brig. Insp. 2d Brig. 4th Div.   | April 21, 1806.              | H. Slaymaker, George Duffield.  |
| Frederick Faring,         | ditto 2d Brig. 1st Div.         | same day,                    | Samuel Faring, John Showas.     |
| Thomas C. James,          | Members of the Board of         | April 22,                    | No sureties required.           |
| David Jackson,            | Health for the city, county     |                              |                                 |
| Caleb Hughes,             | and port of Philadelphia, for   |                              |                                 |
| Alexander Steele,         | one year,                       |                              |                                 |
| Thomas Sergeant,          | Clerk of mayor's court,         | same day,                    | Not received.                   |
| Abraham Morrison,         | Prothy. &c. Somerset county,    | April 23,                    | William G. Elder, Michl. Hugus. |
| Samuel Duffield,          | Port physician, Philadelphia,   |                              |                                 |
| Nathan Dorsey,            | Lazaretto physician,            | same day,                    | No sureties required.           |
| Thomas Egget,             | Quarantine Master,              |                              |                                 |
| William Allen,            | Health officer,                 | May 1,                       | Jacob Winrott, James McSherry.  |
| Michael Slagte,           | Brig. Insp. 2d Brig. 5th Div.   |                              | No sureties required.           |
| J. J. Ulrich Rivardi,     | Interpr. of foreign languages,  | 5,                           | No sureties required.           |
| John Muldowny,            | Inspector of gunpowder,         |                              |                                 |
|                           | Representative of the State     | 14,                          | No sureties required.           |
|                           | in the Waterford and Erie       |                              |                                 |
| Henry Baldwin,            | turnpike,                       |                              |                                 |
|                           | Auctioneer, city of Philada.    | 19,                          | T. Wotherspoons, And. Kennedy.  |
| John McGregor,            | Alderman, city of Philadelphia, | 26,                          |                                 |
| Michael Kepple,           | Commissioners of the lotte-     |                              |                                 |
| William Bethal,           | ry, for the cultivation of      | 29,                          | No sureties required.           |
| John Naglee,              | the vine,                       |                              |                                 |
| George W. Morgan,         |                                 |                              |                                 |

## LIST, &amp;c. Continued.

| <i>Persons Appointed.</i> | <i>To what Office.</i>         | <i>Dates of Commissions.</i> | <i>Names of sureties.</i> |
|---------------------------|--------------------------------|------------------------------|---------------------------|
| William Barber,           | Prothy. &c. York county,       | May 30, 1806.                | Conrad Laub, Jacob Qbb.   |
| George Buchannon, {       | Lazaretho phisicians, in the { | July 4,                      |                           |
| John Corbit, 5th Dist.    | room of N. Dorsey, deceased, } | same day,                    |                           |
| Samuel Johnston, 3d do.   | Justice of Peace, Armstrong,   | same day,                    |                           |
| Stephen Stone, 5th do.    | ditto Beaver,                  | same day,                    |                           |
| Thomas Elder, 1st do.     | ditto Butler,                  | same day,                    |                           |
| George Munroe, 13th do.   | ditto ditto                    | same day,                    |                           |
| Jacob Taylor, 3d do.      | ditto Cumberland,              | same day,                    |                           |
| James Francis, 3d do.     | ditto Centre,                  | same day,                    |                           |
| J. E. Buchannon, 13th do. | ditto Fayette,                 | same day,                    |                           |
| Wm. Divinney, 13th do.    | ditto Huntingdon,              | same day,                    |                           |
| Benjamin Ower, 9th do.    | ditto Indiana,                 | same day,                    |                           |
| R. Maxwell, jun. 12th do. | ditto Lancaster,               | same day,                    |                           |
| A. McCormick, 5th do.     | ditto ditto                    | same day,                    | No Sureties required.     |
| Philip Reed, 5th do.      | Lycoming                       | same day,                    |                           |
| John Creaton, 1st do.     | Montgomery,                    | same day,                    |                           |
| David Semple, 5th do.     | Mercer,                        | same day,                    |                           |
| Joshua Davis, 4th do.     | ditto                          | same day,                    |                           |
| William Poak, 3d do.      | Northampton,                   | same day,                    |                           |
| John Funston, 8th do.     | ditto Northumberland,          | same day,                    |                           |
| Charles Saxton, 16th do.  | ditto ditto                    | same day,                    |                           |
| Patrick Jack, 1st do.     | ditto Venango,                 | same day,                    |                           |
| John Hair, 6th do.        | ditto Washington,              | same day,                    |                           |

## LIST, &amp;c. Continued.

| <i>Persons Appointed.</i>  | <i>To what Office.</i>                                                                                           | <i>Dates of Commissions.</i> | <i>Names of Sureties.</i>                                                                                                                                                                                                                   |
|----------------------------|------------------------------------------------------------------------------------------------------------------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Hugh Scott, jun. 7th Dist. | Justice of Peace, Washington,                                                                                    | July 4, 1806.                | No Sureties required.                                                                                                                                                                                                                       |
| A. Woodward,               | ditto Wayne,                                                                                                     | same day,                    |                                                                                                                                                                                                                                             |
| James Withey, 1st do.      | ditto Delaware,                                                                                                  | same day,                    |                                                                                                                                                                                                                                             |
| David Stewart,             | Commissioners for viewing<br>the improvements in the na-<br>vigation of the Raystown<br>branch of Juniata river, | Oct. 1,                      |                                                                                                                                                                                                                                             |
| William Moore,             |                                                                                                                  |                              |                                                                                                                                                                                                                                             |
| John Blair,                |                                                                                                                  |                              |                                                                                                                                                                                                                                             |
| Jesse Evans, 13th Dist.    | Justice of Peace, Berks,                                                                                         | 4,                           |                                                                                                                                                                                                                                             |
| Moses Kelly, 3d do.        | ditto Bucks,                                                                                                     | same day,                    |                                                                                                                                                                                                                                             |
| Thomas Porter, 3d do.      | ditto ditto                                                                                                      | same day,                    |                                                                                                                                                                                                                                             |
| John C. Brevoust,          | ditto M'Kean,                                                                                                    | same day,                    |                                                                                                                                                                                                                                             |
| Matthew Pierce,            | ditto Montgomery,                                                                                                | same day,                    | A. Reigart, A. Reigart, jr. J. Miller.<br>George Graff, William Perree.<br>Andrew Shriver, James M'Sherry.<br>Alexander Russell, James Brown.<br>John Sawyer, J. Wolfersberger.<br>Charles Campbell, J. Henderson.<br>No Sureties required. |
| Wm. Mather, 9th do.        | ditto Northumberland,                                                                                            | same day,                    |                                                                                                                                                                                                                                             |
| G. W. Morgan, 4th do.      | ditto Philadelphia,                                                                                              | same day,                    |                                                                                                                                                                                                                                             |
| Edward D. Corfield,        | ditto ditto                                                                                                      | same day,                    |                                                                                                                                                                                                                                             |
| Jacob Baker,               | ditto Somerset,                                                                                                  | same day,                    |                                                                                                                                                                                                                                             |
| Emanuel Reigart,           | Sheriff, Lancaster,                                                                                              | Oct. 21,                     |                                                                                                                                                                                                                                             |
| Jeremiah Mosher,           | Coroner, ditto                                                                                                   | same day,                    |                                                                                                                                                                                                                                             |
| Jacob Winrode,             | Sheriff, Adams,                                                                                                  | same day,                    |                                                                                                                                                                                                                                             |
| Henry Hoke,                | Coroner, ditto                                                                                                   | same day,                    |                                                                                                                                                                                                                                             |
| Frederick Wolfersberger,   | Sheriff, Dauphin,                                                                                                | same day,                    |                                                                                                                                                                                                                                             |
| James McLene,              | Prothy. &c. Indiana,                                                                                             | Oct. 22,                     | No Sureties required.                                                                                                                                                                                                                       |
| Charles Campbell,          | Associate Judge, ditto                                                                                           | same day,                    |                                                                                                                                                                                                                                             |

## LIST, &amp;c. Continued.

| <i>Persons Appointed.</i> | <i>To what Office.</i>                                                                                   | <i>Date of Commission.</i>                                         | <i>Names of Sureties.</i>                                                                                                                                                                                       |
|---------------------------|----------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| John Patton,              | Sheriff, Huntingdon,                                                                                     | Oct. 27, 1806.                                                     | L. Lowrey, W. Enycort, M. Simpson, Joseph Patton.                                                                                                                                                               |
| Jared Irwin,              | Sheriff, Northumberland,                                                                                 | 28,                                                                | R. Montgomery, D. Montgommery, R. McKee, J. Hutchinson, J. Modie, J. Bryson.                                                                                                                                    |
| Joseph Lorenitz,          | Coroner, ditto                                                                                           | same day,                                                          | Theodoras Kiehl, Jer. Simpson, Sol. Martley, Joseph Alter.                                                                                                                                                      |
| Jonathan Coulter,         | Sheriff, Beaver,                                                                                         | same day,                                                          | S. Johnston, Wm. Clarke, S. Coulter, S. Rowan.                                                                                                                                                                  |
| Joseph Reed,              | Commissioners of enquiry into the legality of the city and county of Philadelphia, election for sheriff, | same day,                                                          | No Sureties required.                                                                                                                                                                                           |
| John Hollowell,           |                                                                                                          |                                                                    |                                                                                                                                                                                                                 |
| Samuel Wetherell, jun.    |                                                                                                          |                                                                    |                                                                                                                                                                                                                 |
| Richard Renshaw,          |                                                                                                          |                                                                    |                                                                                                                                                                                                                 |
| Joshua Sullivan,          |                                                                                                          |                                                                    |                                                                                                                                                                                                                 |
| Thomas Barnes,            | Sheriff, Indiana, ditto Miffin, Huntingdon, Cumberland, Crawford, ditto Bucks,                           | Oct. 29, same day, same day, Oct. 31, Nov. 10, same day, same day, | D. Marchard, J. J. Shaffer, S. Guthrie, J. Lydlich, J. Evans. Not yet received. P. Swope, William Kerr. Not yet received. Arthur McGill, Henry Phillips, William Dick, Alexander Dunn, J. Thomas, James Gibson. |
| Joseph Strong,            |                                                                                                          |                                                                    |                                                                                                                                                                                                                 |
| Thomas McCartney,         |                                                                                                          |                                                                    |                                                                                                                                                                                                                 |
| Samuel Young,             |                                                                                                          |                                                                    |                                                                                                                                                                                                                 |
| William Bell, junior,     |                                                                                                          |                                                                    |                                                                                                                                                                                                                 |
| Patrick Guinn,            | Coroner, Huntingdon,                                                                                     | Oct. 31,                                                           | P. Swope, William Kerr.                                                                                                                                                                                         |
| Robert Grayson,           | Coroner, Cumberland,                                                                                     | Nov. 10,                                                           | Not yet received.                                                                                                                                                                                               |
| Henry Hurst,              | Sheriff, Crawford,                                                                                       | 14,                                                                | Arthur McGill, Henry Phillips.                                                                                                                                                                                  |
| Patrick McGill,           | Coroner, ditto                                                                                           | same day,                                                          | William Dick, Alexander Dunn.                                                                                                                                                                                   |
| Daniel Thomas,            | Sheriff, Bucks,                                                                                          | same day,                                                          | J. Thomas, James Gibson.                                                                                                                                                                                        |

# APPENDIX.

19

## LIST, &c. Continued.

| Persons Appointed.                                                                                    | To what Office.                                                                                                                                                                                                                                                            | Dates of Commissions.                                                        | Names of Sureties.                                                                                                                                        |
|-------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| Andrew Quintin,<br>Roland Cutlip,<br>James Foster,<br>John Milsoy,<br>Ezekiel Sankey,<br>James Smith, | Coroner,<br>Sheriff,<br>Coroner,<br>Coroner,<br>Sheriff,<br>Associate Judge, Indiana,<br>Commissioners to administer<br>oaths of office and fidelity to<br>officers to be appointed in the<br>county of Washington, by a<br><i>decimus potestatem</i> , dated<br>this day, | Nov. 14, 1806,<br>same day,<br>same day,<br>same day,<br>Nov. 24,<br>Dec. 1, | S. T. Yardley, Stacy Buckman.<br>A. Gregg, J. Dunlop, J. Smith.<br>Richard Miles, Benjamin Patton.<br>J. Hay, A. Arbuckle.<br>Mariness King, Robert Bole. |
| William McKennan,<br>Isaac Kerr,                                                                      |                                                                                                                                                                                                                                                                            | same day,                                                                    | No Sureties required.                                                                                                                                     |
| Isaac Kerr,                                                                                           | Register, &c. Washington,                                                                                                                                                                                                                                                  | same day,                                                                    | Daniel Kerr, William McKennan.                                                                                                                            |
| Adam Reigart, sen.<br>John Miller,<br>George Duffield,                                                | Commissioners, to view the<br>1st section of the turnpike-<br>road from Lancaster, through<br>Elizabethtown, &c. and to<br>report thereon,                                                                                                                                 | Dec. 2,                                                                      | No Sureties required.                                                                                                                                     |
| William P. Beatty,<br>Henry Pinkerton,                                                                | Treasurer of the Susq. lottery,<br>2d Burgess, Lancaster,                                                                                                                                                                                                                  | Dec. 12,<br>15,                                                              | Not yet received.<br>No Sureties required.                                                                                                                |





## LIST, &amp;c. Continued.

| <i>Persons Appointed.</i> | <i>To what Office.</i>           | <i>Dates of Commissions.</i> | <i>Names of Sureties.</i>                                 |
|---------------------------|----------------------------------|------------------------------|-----------------------------------------------------------|
| J. Buchanan, 12th do.     | Justice of Peace,                | January 1, 1807.             | No Sureties required.                                     |
| Presley Coburn, 8th do.   | ditto                            | same day,                    |                                                           |
| Church Cox, 1st do.       | ditto                            | same day,                    |                                                           |
| James Harris, 2d do.      | ditto                            | same day,                    |                                                           |
| George Ihrie, 1st do.     | ditto                            | same day,                    |                                                           |
| R. Cunningham, 13th do.   | ditto                            | same day,                    |                                                           |
| John McEwen, 17th do.     | ditto                            | same day,                    |                                                           |
| Joel Green,               | ditto                            | same day,                    |                                                           |
| James Gilmore, 2d do.     | ditto                            | same day,                    |                                                           |
| G. Morgan, jun. 5th do.   | ditto                            | same day,                    |                                                           |
| A. McGuire, 4th do.       | ditto                            | same day,                    | William Leathy, John Cowden,<br>John Fotts, John Neagley. |
| Philip Wright, 9th do.    | ditto                            | same day,                    |                                                           |
| Joseph Finley, 9th do.    | ditto                            | same day,                    |                                                           |
| Wm. Cox, Ellis,           | ditto                            | same day,                    |                                                           |
| Eliakim Anderson,         | ditto                            | same day,                    |                                                           |
| William McCorkle,         | ditto                            | same day,                    |                                                           |
| Charles Miner,            | ditto                            | same day,                    |                                                           |
| Walter Froward,           | ditto                            | same day,                    |                                                           |
| Andrew Kennedy,           | ditto                            | same day,                    |                                                           |
| John M. Snowden,          | ditto                            | same day,                    |                                                           |
| Thomas Askison,           | ditto                            | same day,                    | No Sureties required.                                     |
|                           | Dep. Surveyor, Lycoming,         | January 7, 1819.             |                                                           |
|                           | Sheriff, Butler,                 |                              |                                                           |
|                           | Commissioned to print and pub-   |                              |                                                           |
|                           | lish in their respective papers, |                              |                                                           |
|                           | the Laws passed during the       |                              |                                                           |
|                           | present session of the Legis-    |                              |                                                           |
|                           | lature.                          |                              |                                                           |
|                           |                                  |                              |                                                           |
|                           |                                  |                              |                                                           |

# LIST, &c. Continued.

## APPENDIX

| <i>Persons Appointed.</i>                                            | <i>To what Office.</i>                                                                                                                             | <i>Dates of Commissions.</i>    | <i>Names of Sureties.</i>                                    |
|----------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|--------------------------------------------------------------|
| Cadwallader Evans,<br>John Lyon,<br>Joseph Heister,<br>Nathan Potts, | Commissioners to sell certain<br>lands ascertained to be of the<br>estate of the late John Nichol-<br>son, deceased.<br>Dep. Surveyor, Montgomery, | April 4, 1807.<br><br>March 12, | No sureties required.<br><br>David C. Knox, George M. Potts. |

121. 33 Company

INDEX  
TO THE  
JOURNAL  
OF THE  
SENATE  
OF  
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SESSION 1806—7.

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LANCASTER,  
PRINTED BY WILLIAM DICKSON.

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1807.

# LIST, &c. Continued.

## APPENDIX.

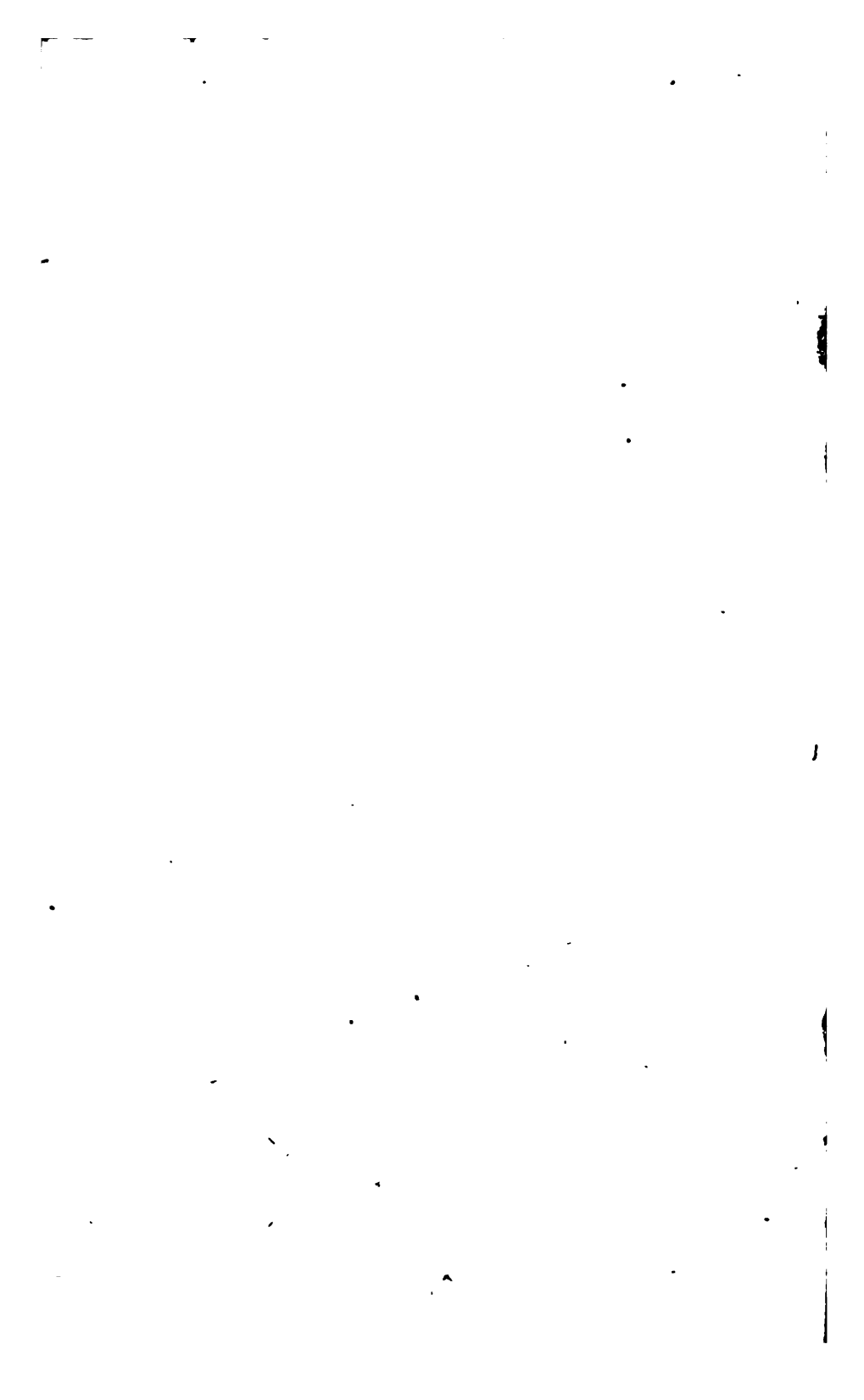
| Persons. Appointed.                                                  | To what Office.                                                                                                                                    | Date of Commission.             | Names of Sureties.                                           |
|----------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|--------------------------------------------------------------|
| Cadwallader Evans,<br>John Lyon,<br>Joseph Heister,<br>Nathan Potts, | Commissioners to sell certain<br>lands ascertained to be of the<br>estate of the late John Nichol-<br>son, deceased.<br>Dep. Surveyor, Montgomery, | April 4, 1807.<br><br>March 12, | No sureties required.<br><br>David C. Knox, George M. Potts. |

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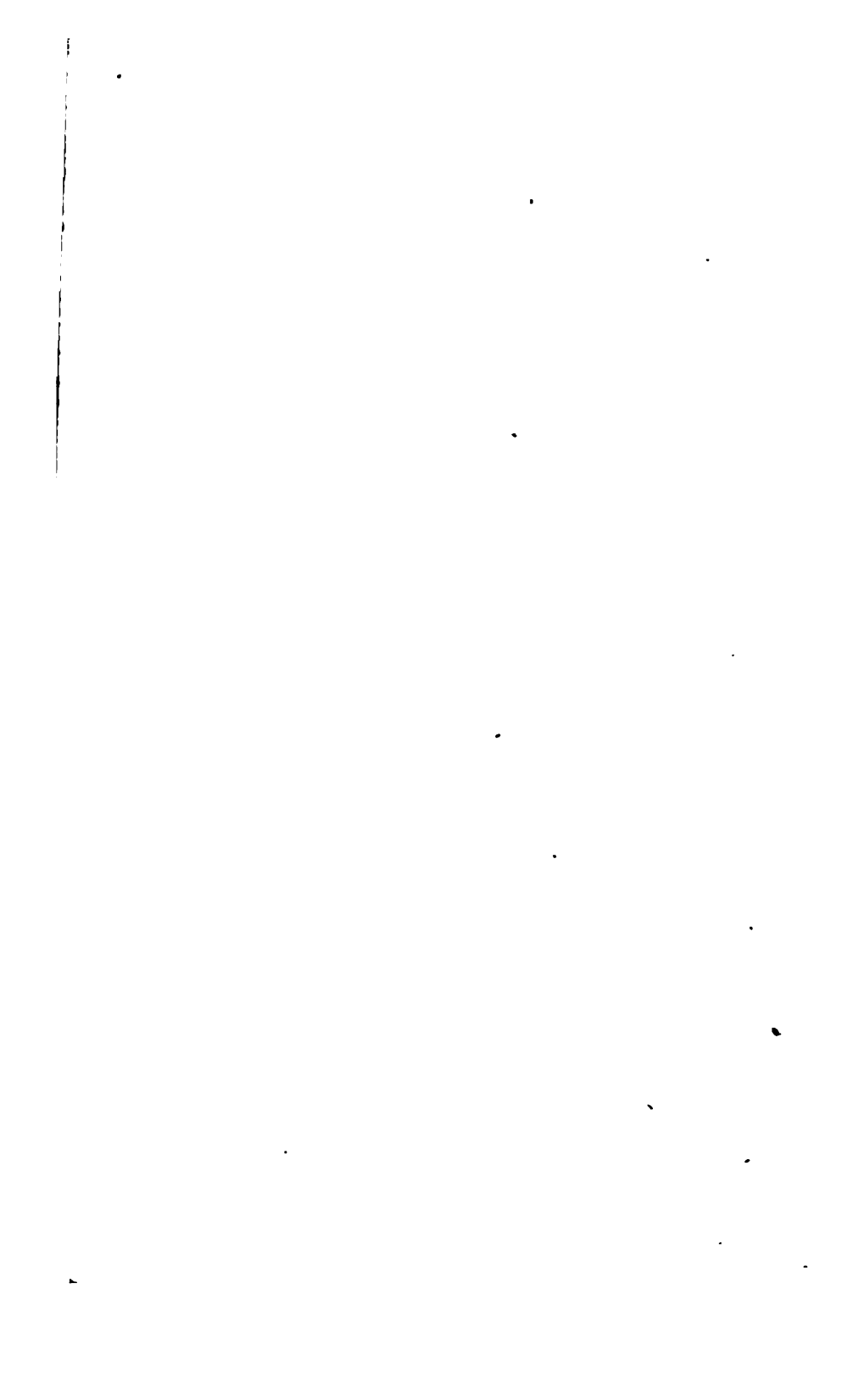
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